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EDITORIAL ANNOUNCEMENT

The end of the year 1938 brings the editorial term of Professor Percy Alvin Martin of Stanford University to a close, he having completed his six-year service—this being, in fact, his third term of service. It is with regret that Dr. Martin's fellow editors remove his name from their midst. Dr. Martin has contributed very largely in his efforts to make this REVIEW a success and much praise is owing to him. In his stead, the name of Professor J. Fred Rippy, of the University of Chicago, now appears among those of the editorial staff. Dr. Rippy has served in a like capacity for several terms and has always had the welfare of the REVIEW at heart. He has, like Dr. Martin, borne a part that is beyond praise. The Editorial Staff speeds the Parting Editor and welcomes the New Entrant.

ARTIGAS, THE FOUNDER OF URUGUAYAN NATIONALITY¹

The second decade of the nineteenth century was one of the most critical periods in the history of Hispanic America. Spain's imposing colonial fabric was dissolving into a welter of confusion and anarchy from which there was slowly emerging a congeries of new states quickened by the spirit of nationality. In the place of the old hierarchy of Spanish colonial officials new characters appeared on the stage of history, men of boundless energy and assurance, who strove with greater or less success to impress their ideas and theories upon the plastic form of the emergent nations. Never before or since have personalities played such a rôle in the Hispanic new world; not inaptly has it been said that the rise of the Spanish American republics is revealed in the lives of their liberators.

The very fact that these liberators so completely dominated the scene makes it the more difficult to place them in a true perspective. Only too often, moreover, have they been ill-served by their uncritical biographers; frequently, we see them only through the dark glass of national prejudice. Ample documentation, a necessary prerequisite to any true appraisal, has come but tardily. Even when available, sources have been only too often employed to prove a thesis or to enhance the prestige of a favorite son. But as time goes on the mists of misunderstanding and partisanship have begun to clear and at length a number of the heroes of Spanish American independence appear in their true light. Especially is this the case with Bolívar and San Martín. But one of the great protagonists of independence still awaits a biographer who will treat his subject with the requisite objectivity and from a continental rather than a provincial or narrowly conceived

¹ Paper read at the meeting of the American Historical Association in Toronto.

nationalistic point of view. The reference is to Artigas, the great national hero of Uruguay. Unfortunately, the interpretation of the rôle of the great *caudillo* as a Spanish American rather than a Uruguayan phenomenon is replete with difficulties. During his public career, Artigas came into violent collision with both Argentina and Brazil and most writers of these countries are disposed to accord him something less than justice. The Uruguayan historians, on the other hand, utilizing in many cases sources available only in Montevideo have frequently lost all sense of balance in their dithyrambic enthusiasm for their hero.

The present study, based on the works of Uruguayan, Argentine, and Brazilian writers, supplemented by such relevant documents as are to be found in the archives of the Indies, is designed to throw into truer perspective the career of this remarkable man who has been described as the first apostle of Spanish American federalism, the precursor of Uruguayan independence, and the founder of Uruguayan nationality.

José Cervasio Artigas, who for good or ill dominated Uruguayan history from 1810 to 1820, was born in Montevideo on June 19, 1764. He was of pure Spanish stock. His grandfather, one of the veterans of the War of the Spanish Succession, had emigrated to Buenos Aires and later crossed the Platine estuary to become one of the first settlers of Montevideo. Such formal education as the young Artigas received was obtained in the Franciscan convent of the capital. But the constricted and formal life of the city never appealed to him and much of his boyhood and all of his young manhood was passed on the boundless *campaña*, or countryside, of Uruguay. He early revealed a marvelous power of adaptation to his milieu. "He was wise in the lore of cattle and horses and the rotation of their ranges". When not engaged in the manifold activities connected with his father's great cattle ranch he defended his fellow *estancieros* against the depredations of their Portuguese neighbors on the north and at times perhaps engaged in the profitable and exciting occu-

pation of smuggling. During this period he became well acquainted with the habits and customs of the gauchos, who formed the bulk of the Uruguayan rural population. Like the Argentine dictator Rosas he had an almost uncanny knowledge of the psychology of the gauchos, and could at all times play upon their emotions, hopes, and fears.

The somnolent life of the Banda Oriental, as the present Republic of Uruguay was then called, was rudely disturbed by the chain of events which, beginning in Spain with the overthrow of the Bourbon dynasty by Napoleon in 1808, culminated in the famous Junta de Mayo in Buenos Aires in 1810. As an integral part of the Viceroyalty of La Plata, the Banda Oriental quickly felt the repercussions of these events across the estuary. Everywhere a new spirit was astir. Freedom was in the air. Artigas, caught up by the movement, resigned from the post which he held in the royal army, and crossing the La Plata offered his services to the Buenos Aires Junta. During his absence, the revolutionary contagion swept the country and with the cry of *Guerra al Godo* (literally, "Death to the Goths", i.e., the Spaniards) the Uruguayans of all classes and conditions rose against Spain. When Artigas returned with the commission of lieutenant colonel he was everywhere hailed as *Primer Jefe de los Orientales*. One foothold, however, the Spaniards retained and here they were all but impregnable. The city and citadel of Montevideo, first under the viceroy Javier de Elío and later under Captain Vigodet, both appointed by the Spanish Council of Regency, for four long years defied all attempts at capture and remained the acropolis of Spanish power in the entire Platine basin.

But even the interior of the Banda Oriental was not to be freed without a struggle. The viceroy had a considerable number of troops at his disposal with which he undertook to put down the gaucho uprising. But after a number of desultory engagements the battle of Las Piedras, March 11, 1811, resulted in an overwhelming victory for the Uruguayan troops led by Artigas. The patriotism of the Orientales, as the

Uruguayans were usually called, was now raised to a fever heat; the reputation of Artigas as a bold and resourceful leader was firmly established, and the Buenos Aires authorities promoted him to the rank of colonel. The Spanish power was now definitely confined to Montevideo.

Elío the viceroy was in a sorry plight. Help from the Peninsula was out of the question. The supplies of the garrison were running low. In his desperation he turned to Rio de Janeiro, where the Portuguese court had been established since 1808, and implored the Princess Carlota Joaquina, the wife of Prince Regent Dom João, and the sister of Ferdinand VII, to come to his aid and save the Banda Oriental for her brother. The appeal fell upon ready ears. With the approval of her husband, who hoped to extend the Lusitanian domain southward to the Platine estuary, a Portuguese army under General Diego de Souza was sent across the frontier into Uruguay. The diplomatic background of this Portuguese invasion of 1811, despite a growing literature on the subject, is not entirely clear. There is some ground for the belief that Carlota toyed with the idea of becoming head of a Platine kingdom with the acquiescence of a monarchist party in Buenos Aires. Be that as it may, when the invading force penetrated into Uruguay, the Buenos Aires Junta became thoroughly alarmed. The Spaniards were bad enough but the Portuguese in possession on the north bank of La Plata would be worse. Hastily the junta entered into negotiations with Elío; an armistice was signed on October 20, 1811, the siege of Montevideo was abandoned, the Porteño troops recalled home, and Artigas and his followers were left to the tender mercies of the Spaniards and the invading Portuguese.

With some show of reason, the Orientales felt that they had been betrayed by their brethren across the Plata. They bitterly opposed the armistice and their anger was not lessened by the realization that the strong garrison in Montevideo, short of food, was on the point of surrender. Now followed one of the most dramatic and spectacular episodes in all of South American history. The rural popu-

lation of Uruguay, menaced by the Portuguese bands which were now infesting the country, a prey to reprisals on the part of the royalists, defenceless against their enemies if they remained in their homes, resolved to follow their leader in a great trek to the northwest where they might find security on the west bank of the Uruguay River. It was an entire people on the march. They took with them their livestock and in many cases their household belongings. Of the sixteen thousand persons who accompanied Artigas barely three thousand were soldiers. So extensive was the exodus that when the Portuguese general, Souza, entered the town of Paysandú he found it deserted save for two aged Indians. On reaching Salto after their four-hundred mile march, Artigas and his followers crossed the Uruguay and took up their abode on the banks of the River Ayuí in the present Argentine province of Entre Ríos. Here they remained fourteen weary months.

While Artigas was in Ayuí the political situation on both sides of the Plata estuary underwent another change. On November 18, 1811, Elío abolished the viceroyship and retired to Spain. He was succeeded by Gaspar Vigodet who held the title of captain general. The new commander soon found himself at loggerheads with the triumvirate in Buenos Aires which on September 23, 1811, had succeeded the junta. At best the armistice was difficult to maintain. Foremost among the causes of friction between Montevideo and Buenos Aires was the anger of Vigodet at the complacency of the Porteño authorities toward Artigas whom the captain general, Vigodet, regarded as a brigand and a rebel. The new government at Buenos Aires, on its part, was eager to renew the attack on Montevideo, and early in January, 1812, relations with the Spanish commander were definitely broken and the siege was renewed.

The capture of the royalist stronghold was hopeless as long as Souza's army remained in Uruguay. Fortunately, both for the Porteños and the Orientales, a treaty was signed on May 26, 1812, between Buenos Aires and Rio de Janeiro providing for an armistice of indefinite duration and the with-

drawal of the invading force to Brazil. The treaty, apparently so inimical to Portuguese interests, had been in reality forced upon Dom João by the astute Lord Strangford, the British minister at Rio de Janeiro. Great Britain's primary concern was the restoration of peace in the Platine basin in the interest of British trade.

With the removal of this potential Portuguese menace the cry in Buenos Aires was "on to Montevideo" for it was rightly felt that the success of the revolution was in jeopardy as long as this great stronghold remained in Spanish hands. But now arose the thorny problem of Artigas. The triumvirate in control at Buenos Aires would have been glad to get rid of the Uruguayan caudillo but they dared not do so openly. One of the triumvirate, Sarratea, was appointed "general in chief of the army operating on the Banda Oriental", and by means of bribes and promises of promotion was partly successful in undermining the loyalty of Artigas's ragged and ill-conditioned troops as the two armies advanced against Montevideo. Beneath a semblance of outward harmony was taking place a bitter and determined contest for leadership between the two generals, resulting finally in the deposition and expulsion of Sarratea. This was more than a personal triumph for Artigas. Buenos Aires's claim to absolute leadership in the United Provinces, as the area formerly embraced by the old viceroyalty of La Plata was presently called, was for a time at least successfully challenged.

While the siege of Montevideo was in progress, Artigas was called upon to cope with a problem of portentous significance for the future of Uruguay. Since 1810, the government of Buenos Aires had been concentrated in the hands of a small group of men who ruled by means of a junta, triumvirate, or directorate in which unitarian or centralist principles dominated. But it was generally recognized that such a régime, which took small account of the desires or needs of the provinces, should rest upon a broader foundation. On October 24, 1812, a call went forth from Buenos Aires for deputies to a general constituent assembly. Artigas accord-

ingly summoned at Peñarol, in the vicinity of Montevideo, a provincial congress composed of some of the most eminent men in Uruguay. Six deputies were appointed by this body to represent the Banda Oriental in the assembly at Buenos Aires. The instructions supplied them, comprising twenty articles, are famous in Uruguayan history as the "Instructions of the year XIII". Their formulation was largely the work of Artigas, though he was doubtless aided by his secretaries. While the spirit of these instructions was in harmony with the traditions and aspirations of the Uruguayan people, the form in which they were drawn up reveal the influence of the constitution of the United States. Artigas had made a careful study of this document which had been translated into Spanish for him by the two learned ecclesiastics, Padres Monterroso and Larrañaga.

On several counts, the instructions not only constitute a landmark in Uruguayan history but also have left their imprint on the constitutional development of all of the Platine republics. For the first time in their history, the three fundamental principles of the revolution were clearly and explicitly formulated; absolute independence of the colonies (hitherto the fiction of loyalty to Ferdinand VII had been assiduously maintained); a republican form of government; autonomy of the confederated provinces. The first of these principles was not adopted by the Argentine provinces until the congress of Tucumán in 1816; the second was for many years more honored in the breach than in the observance; the third came to be the basis of the Argentine Federal Constitution of 1853 after forty years of internal struggle.

The congress of Peñarol and the instructions of the year XIII also defined the character of the movement of which Artigas was the head. Prior to this time the caudillo had been in effect a gaucho chieftain and a leader of the Uruguayan *campaña*. In him was incarnated the desire for independence and he was blindly followed by his devoted partisans. But from now on there are political principles at stake; freedom from Spain; democracy; provincial autonomy based on

the theory of federalism. One may go so far as to insist that at a time when a number of the colonies were wavering between loyalty to Ferdinand VII and independence under an imported European prince, Uruguay formulated a program which ultimately a large part of Spanish America was to follow. And above all the instructions defined without the possibility of equivocation the relations of the Banda Oriental to the remaining Platine provinces. Though Uruguay was not to win its recognition as an independent state until fifteen years later, the program formulated by Artigas may be regarded as the charter of its freedom.

To the unitarian oligarchy of Buenos Aires, whose urban culture had little in common with the ideals and aspirations of the Uruguayan caudillo, the program of Artigas was from its very nature unacceptable. The instructions, permeated as they were, with the spirit of federalism, were anathema. Their acceptance would have resulted in the decentralization of the whole governmental system of the United Provinces and the relegation of the Province of Buenos Aires to the status of *primus inter pares*. For while the Uruguayan deputies did not at this time envisage a Uruguay independent from Buenos Aires, they did insist on the equality of the Banda Oriental with the other members of a federated state.

On the pretext that they had been improperly elected, but in reality because of the character of their instructions, the constituent assembly refused to accept the credentials of the Uruguayan envoys. The tension between Buenos Aires and the Banda Oriental was greatly heightened by the refusal to seat Artigas's delegates. The bitterness and disillusionment of the Uruguayan chieftain are evidenced in a letter sent at this time to the junta of Paraguay in which he declared that the Porteño government wished to fasten upon the Banda Oriental a tyranny worse than that of the *Godos*.

Realizing the hopelessness of reaching an agreement with the authorities of Buenos Aires, Artigas determined to go his own way, and followed by the majority of his troops he withdrew on January 20, 1814, from the siege of Montevideo.

For this act he was promptly declared a traitor by the Porteño directorate and a price put upon his head. Artigas has been severely taken to task by the Argentine historians for his withdrawal from Montevideo. The Uruguayans on the other hand contend that he was justified in refusing to play second fiddle to the Porteños who, when the city surrendered, would claim all the credit for themselves. This is a problem on which unanimity of opinion will probably never be reached.

Artigas now determined to carry the war into the enemy's country. Advancing toward the provinces of the Paraná littoral he raised the standard of federalism. Entre Ríos, Corrientes, and Santa Fe, irked by the rule of the Porteño oligarchy, rose against Buenos Aires and placed themselves under Artigas's protection. His influence even penetrated into Córdoba, the very heart of present-day Argentina.

Meanwhile, Montevideo, besieged by land and sea, threatened by starvation and the exhaustion of his resources, surrendered to the Porteño army on June 20, 1814. The young Argentine general, Alvear, entered the city in triumph and the last bulwark of Spanish power in what had once been the viceroyalty of La Plata had fallen. The surrender profoundly modified the political situation in southern South America. With the Spaniards eliminated from the Platine basin the theater of the Wars of Independence was shifted to the Andes and the famous expedition of San Martín was made possible. As for Artigas, one of his enemies was removed and until the reappearance of the Portuguese on the scene he could concentrate his efforts on the final reckoning with Buenos Aires. The issue was no longer independence from the mother country; it was autonomy versus centralism, or federalism versus unitarianism.

The expulsion of the Spaniards from Montevideo proved a doubtful boon to its inhabitants. The aristocratic and haughty Alvear, a typical representative of the ideals of the Porteño oligarchy, inaugurated a despotic régime in which little place was left for civic liberties. Artigas, as *jefe de los orientales*,

demanded that the city be turned over to him. Alvear naturally refused and in the ensuing struggle fortune favored the Uruguayans. At the battle of Guayabos, January 10, 1815, Artigas's general, Rivera, annihilated an Argentine force under Dorrego and the city came into the possession of its lawful owners. "At last Montevideo was free. The Spaniard was gone, the Porteño had departed. The Oriental had come into his own".

Artigas was now at the apogee of his power and prestige. The Banda Oriental recognized him as its supreme chief. Four of the remaining Platine provinces had embraced his cause and were governed by his delegates. These five provinces, together with the territory of Misiones, adopted the system of government advocated by Artigas in his instructions of the year XIII and constituted the so-called *Liga Federal* in opposition to the unitarian policies of the Porteño directorate. In the remaining provinces and even in Buenos Aires itself he had many partisans who acclaimed him as the *protector de los pueblos libres*. His authority embraced an area of some three hundred and fifty thousand square miles, a third of the present republic of Argentina.

An interesting sidelight on Artigas's activities at Purificación, a little town on the Uruguay River which temporarily served as his capital, is afforded by a Scotch merchant, Robertson, who visited him in 1815.

I came to the Protector's headquarters of the so-called town of Purificación. And there (I pray you do not turn sceptic on my hands), what do you think I saw? Why, the most excellent protector of half the New World, seated on a bullock's skull . . . eating beef off a spit, and drinking gin out of a cow-horn! . . . The Protector was dictating to two secretaries, who occupied, at one deal table, the only two dilapidated rush-bottom chairs in the hovel. . . . To complete the singular incongruity of the scene, the floor . . . was strewn with pompous envelopes from all the provinces . . . addressed to "His Excellency, the Protector". . . . His Excellency received me not only with cordiality, but with what surprised me more, comparatively gentleman-like manners, and really good breeding.

At this time, Artigas was endeavoring to carry out two major policies; the maintenance of the principles of federalism in the provinces under his influence, and the reconstruction and rehabilitation of the Banda Oriental. The first of these policies, as we have already seen, brought him into conflict with Buenos Aires and was eventually to result in his downfall. As regards the second, the brief breathing spell between his conflicts with Buenos Aires and the Portuguese permitted only a beginning of his many reforms. Naturally the welfare of the *campaña* was his chief concern. For four long years, agriculture and stock raising had suffered tremendous losses in the strife which had rent and torn the Banda Oriental. The prime need was security, and on September 11, 1816, Artigas put forth a *reglamento* "for the development of the *campaña* and the security of the *estancieros*". In its twenty-nine articles, provisions were made for repopulation, the granting of arable land with special provisions for the poor, the prohibition of export of cattle to Brazil, and above all, the protection of the countryside through the apprehension and punishment of vagrants and marauding soldiers. These measures were carried out only in small part but their real significance lies in Artigas's constructive plan to ameliorate rural conditions. As regards Montevideo, he ordered the establishment of a public library, a public school ("La Escuela de la Patria"), and a theater; and the founding of a newspaper. Foreign trade which was moribund began to flourish through the opening of the ports of Montevideo, Colonia, and Maldonado to the British.

By one of the tragic ironies of history it was not vouchsafed to Artigas to reap the harvest which he had sown with such travail of body and spirit. The gleam of peace and prosperity which momentarily lit up the Uruguayan countryside proved to be a false dawn. A storm, long gathering in the north, suddenly burst with fury upon Artigas and his devoted followers and swept to destruction all of the political creations on which he had spent the best energies of his life.

The motives of the second Portuguese invasion are still an object of controversy and constitute one of the most baffling problems of South American history. It has well been said that this subject would supply an admirable theme for a doctoral dissertation. Certain broader aspects of the question, however, are reasonably clear. The invasion of the troops of João VI had, as its ostensible object, the suppression of anarchy in the Banda Oriental. The checking of border raids, for which Artigas was held to be responsible, was regarded as necessary to the tranquility of the southern provinces of the empire. A much more compelling reason was the desire of Portugal to extend its boundaries to the Río de la Plata. At various times during the preceding century, Portugal had gained an intermittent foothold on the Banda Oriental, especially at Colonia, directly opposite Buenos Aires. And now in the year 1816 the stars in their courses seemed to be fighting for the Portuguese ruler. The fall of Montevideo had eliminated his secular rivals, the Spaniards. The conclusion of the Napoleonic Wars had placed at his disposal an army of veteran troops. Finally, the bitter dissensions between Artigas and the Porteño government led him to hope that he might count on the acquiescence of Buenos Aires. Events were presently to vindicate the soundness of this view.

Any attempt to disentangle the snarled web of diplomatic intrigues which preceded the Portuguese invasion would far transcend the scope of this paper. In spite of the denials of a number of Argentine historians there is some ground for the belief that Buenos Aires secretly encouraged the Lusitanian expedition on the theory that between Artigas and the Portuguese the latter were the lesser of two evils. The question will probably never be settled until the Artigas papers, which the writer of the present article saw in the National Archives at Buenos Aires, have been carefully studied.

The actual events of the invasion need not detain us. It was an heroic but a losing fight. Left by the Argentines to bear almost the full brunt of the attack, the levies of Artigas,

already decimated by four years of devastating warfare, were no match for the well-armed Portuguese veterans. But the Uruguayan chieftain fought with great pertinacity and skill. His plan of defense, "theoretically considered, would do honor to any general". Such were the words of the Argentine historian, Mitre, who incidentally was a bitter critic of Artigas. But one by one, Artigas's lieutenants were defeated or dropped away; Montevideo itself opened its doors to the Portuguese commander in chief, Lecor, in January, 1817. Yet Artigas fought doggedly on for nearly three more years. He even attacked his enemy by sea. Letters of marque were issued in large number, especially to citizens of the United States with the result that Portuguese commerce suffered severely. But the fight was a losing one. Finally, when Rivera, his most able general, surrendered to the Portuguese he realized the futility of further resistance. A stranger now in his own country, he refused to throw himself at the mercy of the Portuguese or accept the questionable hospitality of Buenos Aires. Instead he turned to Paraguay, the land-locked state which had drawn in haughty aloofness from the conflicts that had for a decade been raging in the other provinces of the old viceroyalty. Asylum was somewhat contemptuously tendered him by Francia. Here in a solitude into which not even the echoes of the outside world penetrated he lived, a lonely and pathetic figure, partly as the guest, partly as the prisoner of the somber dictator and his successor until his death in 1850. To all outward seeming his life work had ended in failure. Like Bolívar he might well have declared, "I have plowed the sea".

But Artigas had not plowed the sea. The principles which he had enunciated and to which he had sacrificed his fame and fortune had struck such deep roots in the Banda Oriental that neither the invasion of the Portuguese nor the hostility of the Porteños could permanently destroy them. During the period of his ascendancy, the Uruguayans had become conscious of themselves and of their identity as a people. Unwittingly, perhaps, Artigas implanted in his native soil the

seeds of nationality which were later to ripen into complete independence. Thanks to Artigas neither blandishments nor force could permanently reconcile the Uruguayans to foreign domination. It was the spirit of Artigas which in 1825 animated the heroic and famous Thirty-Three ("Los Treinta y Tres") Uruguayan patriots who launched the movement which was soon to sweep the Portuguese from the Banda Oriental. The Lusitanian dream of a Cis-Platine province vanished forever.

Though Artigas was instrumental in securing the freedom of his native land from both Spain and Portugal, his greatest achievement, the foundation of an independent state was—ironically enough—one on which he set little store and which for a time he even opposed. His hope, as we have seen, was to secure for Uruguay equality with its sister provinces in a federal league. But this aspiration was shattered by the determination of Buenos Aires to place itself at the head of a great centralized state as the heir of the old viceroyalty of La Plata. The ensuing conflict strengthened the growing spirit of nationality in the Banda Oriental until at length the Uruguayans would be satisfied with nothing less than complete independence. Thus, from the national foundation laid by Artigas, rose in the fullness of time the Republic of Uruguay.

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THE ATTITUDE OF THE UNITED STATES TOWARD THE COLOMBIA-COSTA RICA ARBITRAL PROCEEDINGS

The Hispanic American states have frequently referred their differences to courts of arbitration in the United States and in Europe. The government of the United States has not generally objected to European arbitration for the settlement of Hispanic American disputes.¹ But on one occasion the United States did object, not because of opposition to the principle of such arbitration, but because the United States believed that the Colombia-Costa Rica arbitration treaty of 1880 conflicted with the rights and duties acquired by the treaty of December 12, 1846. The agreement of 1846, signed by the United States and New Granada,² guaranteed to the former and its citizens the right of way across the Isthmus of Panama by any method of communication that then existed or that might be constructed for lawful commerce of the future. Tolls were to be no higher than those charged to the citizens of New Granada. The United States, on its part, guaranteed to New Granada the neutrality of the Isthmus and the maintenance of a free and uninterrupted transit from one sea to the other. The United States also guaranteed to New Granada the rights of sovereignty which the latter possessed over the Isthmus.³

¹ Secretary Olney's principle that "American questions are for American decision. . . ." (John H. Latané, *A History of American Foreign Policy*, New York, 1924, p. 482); and Secretary Frelinghuysen's pronouncement that the "decision of American questions pertains to America itself. . . ." (John Bassett Moore, *Digest of International Law*, Washington, 1906, III, 30) have had little or no effect on the policies of the Hispanic American states. They have submitted many of their disputes to European courts of arbitration. William R. Manning, *Arbitration Treaties among the American Nations* (New York, 1924).

² In 1830, Venezuela and Ecuador seceded from Colombia, and the latter, in 1831, changed its name to New Granada. The constitution of 1863 restored the name Colombia.

³ Samuel F. Bemis, *A Diplomatic History of the United States* (New York, 1936), pp. 245-246.

The boundary dispute between Colombia and Costa Rica had its genesis almost sixty years before the arbitration treaty of 1880, and not long after each state had declared its independence of Spain. On September 15, 1821, the high civil, ecclesiastical, and military officials of the colonial captaincy general of Guatemala, which included the province of Costa Rica, met at Guatemala City. This revolutionary assembly issued a declaration of independence, and called for the meeting of a national congress on March 1, 1822.⁴ Two factions appeared in the ranks of the Central Americans. The republicans favored the creation of a federal form of government among the Central American provinces, while the conservatives desired a union with the Mexican empire of Iturbide. The junta, without waiting for the meeting of the congress, decreed, on January 25, 1822, the annexation of the Central American provinces to Mexico. But with the overthrow of Iturbide in 1823 the Mexican commander in Central America called for a congress that would represent each of the provinces. This congress assembled in June, 1823, and on the first of July declared the independence of the five provinces and the creation of the United Provinces of Central America. A federal constitution was promulgated on November 22, 1824. Each of the individual members of the federation, which included Guatemala, Salvador, Honduras, Nicaragua, and Costa Rica, also adopted its own constitution.⁵

Colombia, on the other hand, had already won its independence under the leadership of Simón Bolívar. Spanish opposition had been crushed at Boyacá, near Bogotá, on August 7, 1819. In December, 1819, the union of Colombia and Venezuela, under the name of the Republic of Colombia, was proclaimed at the congress of Angostura. Bolívar became the

⁴The news of the declaration of independence, made at Guatemala City, did not reach Costa Rica until October. In the following month, the Costa Ricans issued a declaration of independence. See Chester Lloyd Jones, *Costa Rica and Civilization in the Caribbean* (Madison, 1935), p. 19.

⁵Herman G. James and Percy A. Martin, *The Republics of Latin America* (New York, 1923), pp. 371-373. The colonial provinces of Chiapas and Panama were not included. Chiapas united with Mexico and Panama joined Colombia.

first president of the republic.⁶ Panama declared its independence in November, 1821, and joined Colombia in February, 1822.

Shortly after the establishment of the Central American Federation, the federal government accredited Pedro Molina as envoy extraordinary and minister plenipotentiary to Colombia. On February 26, 1825, Francisco Santander, vice president of Colombia, received the Central American envoy. During the negotiations for a treaty, which were conducted by Molina and Pedro Gual, Colombian foreign minister, the latter presented evidence which he claimed proved the contentions of his government to certain areas along the Atlantic coast. Gual suggested a boundary line, but Molina replied that he did not possess the power to accept a definite boundary proposal.⁷ On March 15, 1825, however, the two negotiators signed a treaty of "Perpetual Union, League, and Confederation. . . ."⁸ The fifth article of the agreement provided that both parties should mutually guarantee the integrity of their respective territories, as they existed prior to independence, against the subjects or adherents of the king of Spain. The treaty also provided for the negotiating of a special convention which would deal with the demarcation of their common boundary as soon as circumstances should permit or as soon as one party should manifest to the other its disposition to enter into such negotiations. Costa Rica later claimed that The Treaty of 1825 decided the question as to frontiers peremptorily and in a very equitable and reasonable manner; and there remained only the conclusion of a friendly arrangement for the *simple physical location* of the divisionary line.⁹

⁶ Mary W. Williams, *The People and Politics of Latin America* (New York, 1938), p. 301.

⁷ *Anales Diplomáticos y Consulares de Colombia*, edición oficial, Antonio José Uribe, editor (Bogotá, 1900-1918), I, 463-465. Hereafter cited as *Colombia, Anales*.

⁸ *British and Foreign State Papers* (London, 1812-1936), XII, 802-811. Ratifications were exchanged on June 17, 1826, in Guatemala City.

⁹ Costa Rica-Panama Arbitration, *Argument of Costa Rica before the Arbitrator Hon. Edward Douglas White, Chief Justice of the United States* (Washington, 1913), pp. 63-64. Cited hereafter as *Costa Rica, Argument*. The physical

For over a decade neither party made any effort to disturb the *status quo*. In 1836, the congress of New Granada authorized the occupation of Bocas del Toro and the appointment of a political chief for the district. Early in the following year, New Granada occupied Bocas del Toro. Costa Rica protested against this occupation, and referred the matter to the government of the federation.¹⁰

In 1838, the federal compact of the Central American Federation was broken. Resentment against the liberal government of Francisco Morazán led to a revolt, in 1837, under Rafael Carrera. The trouble spread rapidly and Carrera entered Guatemala City early in 1838. In spite of the temporary defeat of Carrera the struggle caused the collapse of the federation. By 1839, most of the states had seceded or had planned to do so.¹¹ A year later, Panama separated from New Granada and formed the independent Republic of the Isthmus. Costa Rica, now independent, soon reached an agreement with the Isthmian state. Article IV of a treaty of mutual recognition and friendship, signed September 22, 1841, provided that Costa Rica reserved the right to claim from the state of the Isthmus the possession of "Bocotoro" which the government of New Granada had occupied. Panama rejoined New Granada in 1842, but Costa Rica maintained that her "legitimate rights" had been "safeguarded" by the agreement of 1841; that article IV of the treaty was a protest against the earlier aggression of New Granada.¹²

location of the boundary line was impossible, however, because of the conflicting claims of the two parties. In July, 1824, the Colombian executive issued a decree by which his government laid claim to the Atlantic littoral as far as Cape Gracias á Dios. The Costa Rican law of January 21, 1825, recognized the following line: "The territory of the State is now extended, from west to east, from the River Salto, which divides it from Nicaragua to the River Chiriquí, the end of the Republic of Colombia; and the north-south from one sea to the other, its limits on the north being at the mouth of the River San Juan and the *Escudo de Veragua*, and on the south at the outlet of the River Alvarado and that of Chiriquí". *Ibid.*, pp. 17-18, 52-53, 66-70.

¹⁰ *Ibid.*, pp. 73-74. Bocas del Toro is situated in the northwestern section of present-day Panama.

¹¹ Williams, *People and Politics of Latin America*, pp. 423-424.

¹² Costa Rica, *Argument*, pp. 82-83.

Victoriano de D. Paredes of New Granada and Felipe Molina of Costa Rica met in Washington in 1852 to discuss the boundary situation. Molina suggested a boundary line, but Paredes did not feel authorized to accept the proposition. Three years later, Pedro Herrán of New Granada and Luis Molina, brother of Felipe, made an attempt to reach an agreement, but their efforts proved abortive.¹³

Further steps toward a settlement were taken in the following year. In April, 1856, Joaquín Calvo, Costa Rican foreign minister, and Herrán tried to reach an understanding. On June 11, 1856, they signed a treaty of commerce, navigation, and limits at San José, the capital of Costa Rica. The boundary described in this treaty became known as the Calvo-Herrán line. After a lengthy debate the treaty passed the senate of New Granada with amendments, but the Costa Rican congress refused to accept the modifications.¹⁴

In 1862, Colombia occupied some territory at Punta Burica,¹⁵ and the local government at Panama arranged for the leasing of coconut groves in the occupied region. Three years later, March 30, 1865, José Castro of Costa Rica and Teodoro Valenzuela of Colombia signed a treaty which established a boundary line, but Colombia refused to accept the agreement.¹⁶

Early in the next decade, the Colombian government sent Buenaventura Correoso to Costa Rica. The Colombian minister reached an agreement on April 18, 1873, with Lorenzo Montúfar, the Costa Rican foreign minister. Although this treaty was less favorable to Costa Rica than the preceding one, the Colombian senate rejected it in 1876.¹⁷

Border troubles, meanwhile, increased the tension between the two countries. In 1875, the Costa Rican foreign minister protested against the action of the cabildo (town council) of Alanje, of the state of Panama. The latter had recently leased

¹³ Colombia, *Anales*, I, 468-469.

¹⁴ *Ibid.*, pp. 470-472.

¹⁵ Punta Burica, or Point Burica, is in the extreme southwestern part of present-day Panama.

¹⁶ Costa Rica, *Argument*, pp. 105-107.

¹⁷ Colombia, *Anales*, I, 474-475.

certain coconut groves in the vicinity of Punta Burica and the Dulce Gulf, and had levied taxes on the town of Corredor in the disputed area. Colombia replied, in the following year, that the cabildo had the right to make the leases, and that the taxes had been levied legally because citizens of Alanje had established Corredor. Costa Rica then proposed arbitration of the boundary dispute, suggesting the Republic of Chile as arbitrator.¹⁸

In 1879, rumors spread that Costa Ricans had invaded Colombian territory, and once again relations became tense.¹⁹ Costa Rica again suggested arbitration, the president of the United States being among the arbitrators mentioned. Luis Rico, Colombian foreign minister, replied that before an arbitrator could be designated, the Colombian congress would have to be consulted.²⁰ In July of the following year, Ernest Dichman, the United States minister to Colombia, informed his government that Colombia had undergone a change of attitude, and had determined to send a special minister to Costa Rica for the purpose of restoring good relations. The newly appointed Colombian minister to Great Britain was ordered, meanwhile, to go by Costa Rica to try to reach some understanding.²¹

Five days before Dichman made his report, the Colombian senate passed resolutions setting forth the territorial claims of the government. These claims extended to a line which began at the mouth of the Culebras River and continued to the source of the river. From there the line was to follow the crest of the Cruces Mountains to the source of the Golfito River, and thence down the river to its mouth in the Dulce Gulf. Claims were also made to the Atlantic littoral as far as Cape Gracias á Dios.²²

¹⁸ Costa Rica, *Argument*, p. 114.

¹⁹ *Foreign Relations of the United States* (Washington, 1870-1936), 1880-1881, pp. 310-311.

²⁰ Costa Rica, *Argument*, p. 116.

²¹ *Foreign Relations*, 1880-1881, pp. 325-326.

²² Colombia, *Límites entre Colombia i Costa Rica*, publicación oficial (Bogotá, 1880), pp. 139-140.

Colombia, meanwhile, had sent José Otero to Costa Rica. The Colombian plenipotentiary informed Foreign Minister Castro that Colombia possessed certain documents which substantiated its claims to the disputed areas. Otero stated that if Costa Rica were willing to make a direct settlement instead of submitting the dispute to arbitration, Colombia would be willing to make concessions. Castro rejected the proposal and insisted that the controversy be submitted to arbitration.²³ On December 25, 1880, the two representatives signed, at San José, a treaty which submitted the dispute to the arbitration of the king of the Belgians, with the king of Spain and the president of the Argentine Republic serving as alternates. The agreement placed no limitations on the powers of the arbitrator. Article IV provided that the award would be accepted as a "treaty concluded, perfected and irrevocable between the high contracting parties. . . ." Each power pledged its honor to fulfil the provisions of the decision, and also agreed that if none of the powers designated were willing to accept the task, the dispute would still be settled by arbitration.²⁴ In the meantime each power agreed to accept the *status quo*.

Before the chosen arbitrator had time either to accept or to refuse the position, the United States intervened. For some time before the signing of the arbitration treaty, Dichman had informed the state department of the general progress of the controversy. On November 6, 1880, Secretary William Evarts sent Dichman a confidential message. The secretary expressed his uneasiness over the trend of events in Central America when he instructed Dichman that the "matter is one to which your utmost vigilance should be addressed. . . ."²⁵ Evart's apprehension arose from confidential information which he had received from Cornelius Logan, United States minister resident to the Central American states. Logan had

²³ Colombia, *Anales*, I, 475-476.

²⁴ Manning, *Arbitration Treaties*, pp. 120-122. Ratifications were exchanged on December 9, 1881.

²⁵ Department of State, *MS. Instructions to the United States ministers to Colombia*. XVII, 196.

written that Costa Rica might support Colombia's claims to the Atlantic littoral, but this information was based on rumor.

Late in January, 1881, Logan reported that he had received information that the dispute would be settled by arbitration. He added significantly that the

selection of the arbitrator does not indicate a very favorable feeling towards the United States by the plenipotentiary of Colombia, at whose instance, as I am informed, the nominations [for the arbitrator] were made.²⁶

Dichman also reported the signing of the arbitration agreement, but he did not comment on the failure of the two states to select the president of the United States as arbitrator. On the contrary he informed the state department that

although the differences between these two neighboring republics might not seem to have been of sufficient importance to have called for the elaborate machinery which has been provided for their adjustment, it cannot be otherwise than gratifying to you to learn that by the proposed treaty . . . the danger of a breach of the peace in Central America has been averted, and the anxiety in the public mind connected with that subject has been allayed.²⁷

Secretary Blaine was much interested in the messages he had received. During the latter part of May, 1881, he addressed, in turn, the United States ministers to Colombia, to Central America, to Belgium, and to Spain, on the subject of the arbitration. He informed Dichman that

while the Government of the United States of America does not expect or claim the position of necessary arbitrator in differences between those two republics, it cannot but seem strange that Colombia has not communicated to this government its intentions. . . .²⁸

Blaine then instructed the minister to inform the Colombian government of the attitude, thus expressed, of the United States.

The secretary of state ordered Logan to point out to the Costa Rican government that

²⁶ *Foreign Relations*, 1881-1882, p. 100.

²⁷ *Ibid.*, p. 354.

²⁸ *Ibid.*, p. 356.

the United States recognizes the wisdom of the method of arbitration for the solution of such differences, and while it neither pretends nor desires that it should be considered the necessary or only arbitrator between the Republics of South and Central America, it feels . . . it has a direct interest in the question . . . [and] the United States of America are naturally surprised that such an arbitration should have been determined upon without communication with them. You will add that while having no possible objection to the character of the arbitrators selected . . . the United States will not hold themselves bound, so far as their rights, obligations, or interests may be concerned, by the decision of any arbitrator in whose appointment they have not been consulted and in whose selection they have not concurred.²⁹

Both of these dispatches were presented informally to the respective governments, for the arbitration treaty had not yet been brought to the attention of the United States.

Two European states were also informed of the objections of the United States. In a dispatch to James Putman, the United States minister to Belgium, Blaine reiterated the objections already forwarded to Dichman and Logan. The secretary of state placed special emphasis on the treaty rights of the United States, but he pointed out that the government did not claim to be the sole or necessary arbitrator. He therefore instructed Putman that

His Majesty should be informed that while the Government of the United States has neither formed nor desires to express any opinion upon the merits of the convention . . . yet it will not hold itself bound by any decision which would modify or limit the rights or interests which may have been secured to it by the treaty of 1846. . . .³⁰

Blaine wrote Lucius Fairchild, United States minister at Madrid, that the government of the United States did not seek the position of arbitrator. On the contrary, this government could

readily understand and appreciate the feeling which would induce the Spanish republics of this continent to seek in the great monarchy from

²⁹ *Ibid.*, pp. 105-106.

³⁰ *Ibid.*, p. 72.

which they have derived their life, their language, and their laws, a sympathizing umpire.³¹

Answers from most of the interested parties soon followed. On July 18, Putman reported that the director general of the Belgian foreign office had recently called and announced that when Colombia and Costa Rica officially informed the king of his selection, his Majesty would decline the trust. Four days later, Fairchild wrote that in a recent interview with the Spanish minister of state, the latter remarked that his government had not heard of the proposition. Should the office be tendered the Spanish government, the minister of state promised that the views of the United States would be taken into consideration.³²

Costa Rica's reply was not nearly so friendly. While the Costa Rican foreign minister refrained from making a full statement because of the informal nature of Logan's presentation, Castro reminded Logan that the treaty of 1846 had not been communicated to Costa Rica either before or after ratification. Logan enclosed, in a later dispatch to the state department, a copy of an editorial from *El Mensajero* of San José. The editor of the Costa Rican paper severely criticized the action of the United States, and maintained that the intervention was "perilous in its consequences" since such action obeyed no other motive nor recognized any other object than the "exclusive interests, industrial and maritime, of the United States."³³

Late in November, Fairchild reported a recent conversation with the Costa Rican minister at Madrid. The latter had stated that the attitude of the United States had delayed the proceedings, and he believed that a fair presentation of the question at Washington would show the United States that the arbitration treaty would not harm its rights or interests.³⁴

Under these conditions, President Arthur presented his annual message to congress. In regard to the arbitration treaty he declared that as

³¹ *Ibid.*, p. 1058.

³² *Ibid.*, pp. 112-113.

³³ *Ibid.*, pp. 75, 1062.

³⁴ *Ibid.*, p. 1067.

we have certain interests in the disputed territory which are protected by our treaty engagements with one of the parties, it is important that the arbitration should not without our consent affect our rights . . . [and therefore] this Government has accordingly thought proper to make its views known to the parties to the agreement, as well as to intimate them to the Belgian and Spanish Governments.³⁵

Frederick T. Frelinghuysen succeeded Blaine as secretary of state in December, 1881. The new secretary assumed a far more hostile attitude toward the principle of European arbitration of Hispanic American questions. In a confidential dispatch to William Scruggs, United States minister to Colombia, Frelinghuysen commented at length on Colombia's most recent effort to settle its troubles by resorting to European arbitration. He then instructed Scruggs

to be watchful and report, in confidence . . . anything . . . which may throw light on this novel anxiety of Colombia to preserve peace on the American Continent by European arbitration.³⁶

In January, 1883, Frelinghuysen again expressed his opposition to such arbitration. In a dispatch to Dwight Reed, *chargé d'affaires* at the Madrid legation, the secretary of state remarked that the attitude of the United States was determined by two circumstances: American interests in the disputed territory and American treaty obligations which guaranteed the sovereignty, of Colombia, over the state of Panama. Frelinghuysen then turned to a discussion of the recently signed arbitration treaty between Colombia and Venezuela. While he was not "aware that American citizens have any rights in the disputed territory", he did observe that

this Government can not but feel that the decision of American questions pertains to America itself, and it would hesitate, even when consulted (*sic*) by the most friendly motives (such as naturally join it

³⁵ James D. Richardson (ed.), *A Compilation of the Messages and Papers of the Presidents* (New York, 1897), X, 4628.

³⁶ Department of State, *MS. Instructions*, Colombia, XVII, 291-292. Colombia had recently proposed an arbitration treaty to Guatemala.

to that of Spain) to set on record an approval of a resort to European arbitration.³⁷

While these observations were not directed against the Colombia-Costa Rica treaty, they represent an expression of the attitude of the secretary of state during the Colombia-Costa Rica arbitral proceedings. Frelinghuysen did admit that as an "abstract principle" the United States was glad to see any friendly settlement of disputes which concerned interests closely allied with those of the United States.

The Spanish government, meanwhile, awaited further developments before accepting the position of arbitrator. King Alfonso XII died in 1885, and a new agreement became necessary to avoid technical difficulties. On January 20, 1886, the two powers signed a supplementary treaty which reaffirmed the competency of the Spanish government to serve as arbitrator no matter who the king might be.³⁸ The treaty also provided that the rights of third parties would not be affected by the arbitration. This article was included to protect the United States, and Secretary Thomas F. Bayard accepted the provision as sufficient.³⁹

The Spanish government now assumed the duties of the arbitration on the condition that the settlement would be postponed until the completion of the Colombia-Venezuela arbitral proceedings.⁴⁰ Both Colombia and Costa Rica apparently accepted this offer, but early in the next decade difficulties arose when Colombia refused to continue with the arbitration under the old agreement. On January 22, 1892, the duke of Tetuan, Spanish minister of state, informed the Costa Rican minister at Madrid that the action of Colombia was sufficient to induce . . . [the government] of Her Majesty to decline to take any further action in a matter in which it had only consented to act at the request of the two Republics.⁴¹

³⁷ Moore, *Digest*, III, 30.

³⁸ Manning, *Arbitration Treaties*, pp. 155-157. Ratifications were exchanged January 29, 1887.

³⁹ *Foreign Relations*, 1893, p. 280.

⁴⁰ Colombia and Venezuela had submitted their boundary dispute to the arbitration of Spain in 1881. A supplementary treaty was signed in 1886.

⁴¹ *Foreign Relations*, 1893, p. 279.

Once again the United States was drawn into the controversy. On April 12, 1893, Manuel Peralta, Costa Rican minister at Washington, informed Secretary Walter Q. Gresham of recent developments in the controversy. After relating the events which led to the disrapture of the arbitral proceedings, Peralta stated that

The Government of Costa Rica has, [*sic*] therefore considered, both in view of the stipulations of Article XXXV of the treaty of December 12, 1846, and of the express declarations of Messrs. Blaine and Bayard both before and after the conclusion of the additional convention of January 20, 1886, that the U. S. Government became a party with Costa Rica and Colombia to this latter convention, and consequently to the principal convention of 1880. . . .⁴²

Peralta further requested the United States to ask Colombia to abide by the arbitration agreement, and suggested that the United States accept the position of arbitrator if both of the alternates refused. Several days later, the disturbed minister informed Gresham that a company had been recently formed in New Jersey for the construction of a road from Bocas del Toro to David, the latter being located near the south coast of Panama, west of Punta Burica. The Colombian government had authorized the building of this road, and Peralta claimed that it would traverse disputed territory. The Costa Rican minister further stated that his government would not recognize any grants or concessions, which might affect the contested region, that were made after 1880.⁴³

In May, Gresham replied that under no circumstances "could the Government of the United States carry its mediatory good offices to the extent of proposing itself as arbitrator. . . ." The secretary added that

While holding that the Government of the United States is in nowise a party to the arbitration, and therefore in no sense interested in upholding the arbitration and advocating its continuance, I am equally unable to act upon the request of your Government that the good offices of this Government be employed with that of Colombia, in the alternative you mention, to cause the President to be chosen as arbitrator. Apart from the obvious consideration that the office

⁴² *Ibid.*, pp. 272-273.

⁴³ *Ibid.*, p. 283.

of arbitrator should come, if at all, unsought, the attitude of reserve which the United States Government has hitherto been constrained to occupy in this question for its own protection and to safeguard American interests, would effectually preclude any suggestion that the Executive of this Government be invited to decide it as a judge.⁴⁴

Peralta, in responding to Gresham's note, again asked for the good offices of the United States.⁴⁵

Secretary Gresham explained the attitude of the United States to Luther McKinney, minister to Colombia, and Lewis Baker, minister to Costa Rica, Nicaragua, and Salvador. The secretary informed McKinney that the government of the United States should not favor the contentions of either party, and that both governments should come to an understanding whereby that

high aim shall be realized, either by the continuance of the arbitration under Her Majesty the Queen Regent of Spain, or, if Her Majesty be indisposed to resume her functions, then by the alternative method already agreed upon, or by resort to any impartial arbitrator.⁴⁶

Similar instructions were dispatched to Minister Baker. Gresham expressed the hope that the two states would waive the comparatively trivial obstacle to the accomplishment of the larger purpose of amicable arbitration which they have both advocated. . . .⁴⁷

The president of the United States also took occasion to give his opinion on the subject. On December 5, 1893, President Cleveland, in his annual message, stated that he "deemed it fitting" to express to the governments of Colombia and Costa Rica the

kindly desire of the United States to see their pending boundary dispute finally closed by arbitration in conformity with the spirit of the treaty concluded between them some years ago.⁴⁸

A few months later, acting secretary of state, Edwin F. Uhle, informed the Colombian minister at Washington, Julio Ren-

⁴⁴ *Ibid.*, pp. 288-289.

⁴⁵ *Ibid.*, p. 294.

⁴⁶ Department of State, *MS. Instructions, Colombia*, XVIII, 396-397.

⁴⁷ *Foreign Relations*, 1893, p. 203.

⁴⁸ Richardson, *Messages and Papers of the Presidents*, XII, 5868-5869.

figo, that the United States trusted that an "honorable adjustment of the dispute may be speedily reached."⁴⁹

Colombia and Costa Rica had, meanwhile, resumed negotiations, and on November 4, 1896, submitted their differences to the arbitration of the president of the French republic.⁵⁰ Colombia and Costa Rica did not select the Spanish government because the former hesitated to ask so many favors of Spain, recently chosen arbitrator in the Colombia-Ecuador-Perú dispute over the upper Amazon region.⁵¹ The French government accepted the task, and rendered an award on September 11, 1900.⁵² The arbitral sentence gave to Costa Rica a considerable portion of the disputed area.⁵³

The opposition of the United States to the arbitration treaty of 1880 did not signify any antipathy toward the principle of European arbitration of Hispanic American disputes. The United States opposed this agreement because of the belief that treaty rights and obligations might be affected. Frelinghuysen's dispatches, it is true, show an unmistakable hostility toward the idea of European arbitration. But his pronouncements established no precedents and later secretaries of state, as well as presidents, either encouraged such arbitration or offered no objection when the Hispanic American states sought to settle their grievances by a resort to European courts of arbitration. There exist many cultural, racial, and religious ties between the Hispanic American states and some of the European nations, and it is only natural that the former should seek in those nations of Europe from which they have "derived their life, their language, and their laws, a sympathizing umpire."

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⁴⁹ Department of State, *MS. Notes to Colombian Legation at Washington*, VII, 223.

⁵⁰ Manning, *Arbitration Treaties*, pp. 248-250.

⁵¹ This treaty was signed on December 15, 1894.

⁵² *British and Foreign State Papers*, XCII, 1038-1040.

⁵³ The dispute flared up again after the separation of Panama from Colombia. The United States was also involved in the later stages of the controversy.

THE WEIL AND LA ABRA CLAIMS AGAINST MEXICO¹

Students of the history of international arbitrations are familiar with the convention of 1868 by which the United States and Mexico arranged for the settlement of all outstanding claims held by citizens of each nation against the government of the other. The Mixed American-Mexican Claims Commission in which it vested powers of final and conclusive review, as eventually constituted, included W. H. Wadsworth as the American commissioner, M. M. de Zamacona, the commissioner for Mexico, and Edward Thornton, British ambassador to Washington, as the umpire. Concluding its work in January, 1876, this commission examined 2015 claims distributed about equally between the two governments. The total amount of awards made in favor of the United States exceeded that allowed Mexico by almost four million dollars. This sum the latter nation was obligated to pay, according to the terms of the convention, in annual instalments not exceeding three hundred thousand dollars.²

Exceptional to a marked degree by reason of their innate character and subsequent history, two of the claims decided against Mexico by the mixed commission not only tended to reflect discredit upon this form of arbitral inquiry, but also to impair the friendly relations existing between the nations involved. One of them was presented by Benjamin Weil, a

¹ An adaptation of a portion of this paper was read at the annual meeting of the Mississippi Valley Historical Association in St. Louis, April 30, 1937.

² The United States Department of State has on file records of the claims which were considered by the Mixed American-Mexican Claims Commission. A convenient summary of its work, however, has been printed in *United States and Mexican Claims Commission*, in 44th Congress, 2nd Session, Senate Executive Document 31. This subject has been treated briefly also in John Bassett Moore, *A History and Digest of International Arbitration to which the United States has been a Party* (6 vols., Washington, 1898), issued likewise as 53rd Cong., 2nd Sess., House Misc. Doc. 212, II, 1314-1320.

naturalized American citizen, of New Orleans; and the other by La Abra Silver Mining Company of New York. Both, as later developments showed, were stupendous fabrications. Finally convinced of that fact, the United States near the turn of the century refunded the money which had been paid in settlement of the awards on those cases. Drawn out over a period of more than thirty years, then, there lies an unusual story of international fraud, involving its inception, its exposure, and the ultimate act of retribution on the part of that government which, unwittingly, had acted as an agent in its perpetration. That brief and narrow phase of the diplomatic relations between the United States and Mexico forms the basis of this study.^a

Submitted to the mixed commission in 1870, the Weil claim was supported by sworn declarations on the part of the claimant himself and various material witnesses, including especially G. D. Hite and J. M. Martin. As thus set forth, the circumstances giving rise to the claim may be summarized briefly. Weil was an alleged owner of 1914 bales of cotton which on September 20, 1864, had been seized between Piedras Negras and Laredo by armed forces of the "Republic of Mexico". The cotton was purchased previously by Weil's agent, Hite, and collected at Alleyton, Texas, located some sixty miles from Houston at the western terminus of the Buffalo Bayou, Brazos, and Colorado Railroad, and a focal point at the time for conditioning and placing in transit cotton shipments for the country to the southwest. From Alleyton, Weil's cotton had been transported in a train consisting of 190 wagons, with about 1520 draft animals, bound for Matamoras and final exportation. Hite was present when the train entered Mexico; Martin witnessed the seizure of the cotton; while at that time Weil was in Matamoras.

^a Moore, *International Arbitrations*, II, 1324-1348, gives a brief history of these claims. Yet this incomplete account is little more than an outline sketch, concerned primarily with the technical action taken by the two governments involved. See, too, the same author's *A Digest of International Law* (8 vols., Washington, 1906), issued also as 56th Cong., 2nd Sess., House Doc. 551, VII, 63-68.

No contemporary evidence relating to the existence and ownership of the cotton, such as receipts for its purchase, bills of lading, customs certificates, *et cetera*, was presented to the mixed commission. Evaluating the commodity at thirty-five cents per pound, however, Weil asserted a loss of \$334,950.00, as of September, 1864; and he asked for interest at twelve *per centum*. No prior claim, it was explained, had been laid before either his own government or that of Mexico.⁴

La Abra Silver Mining Company, having a capital stock of \$300,000, was organized in 1865, with G. C. Collins as president and D. J. Garth the treasurer and manager resident in New York. T. J. Bartholow became the first superintendent of the company's mines in Mexico, including La Abra near Tayoltita in the state of Durango, and others in Sinaloa. Resigning in May, 1866, Bartholow was succeeded by Colonel Julian A. de Lagnel who, in the spring of 1867, was followed by C. H. Exall; while about one year later, after operation at the mines had ceased, the latter placed the property in charge of J. C. Granger.

In support of La Abra claim, Collins, Bartholow, Exall, and Granger, together with numerous other individuals, made affidavits which were filed with the mixed commission. From that testimony the following account has been woven.

After generally improving its properties in Mexico, securing the best mining machinery and equipment available, purchasing large stores of provisions and supplies, and hiring miners, machinists, and laborers, the company began operations with the prospect of realizing an annual profit of one million dollars. Eventually, however, it was forced to accept heavy losses because of the intense prejudice manifested by

⁴ United States-Mexican Claims Commission Records on Case No. 447, MSS., Dept. of State. Inasmuch as this claim later became the subject of various investigations, reports, and judicial decisions, statements of the allegations involved, with copies of essential documents as well, have been printed in various places. See particularly *Mexican Claims*, in 48th Cong., 1st Sess., House Ex. Doc. 103, pp. 22-26, 203-271; *Claim of Benjamin Weil No. 447 vs. Mexico: Award by the Umpire of the United States and Mexican Claims Commission etc.: An Appeal to the Sentiment and Justice of the United States* (Mexico, 1877), pp. 1-8.

Mexican civil and military authorities against Americans engaged in mining activities in Mexico. This was intensified, as further stated, by a prevalent belief that La Abra Company was assisting the United States in certain plans to annex some of the Mexican states.

Property of the company, together with the persons and lives of its employees, were threatened constantly. Mexican authorities frequently seized mule trains, provisions, and ores. Some openly avowed their intentions of driving out all American mining companies and taking their possessions. On one occasion, his request for protection harshly refused, the superintendent of La Abra was arrested and imprisoned, without a trial or being informed of the nature of the offense. Soldiers of the Republican army murdered a valued employee, William Groce, whose body, Bartholow stated in his deposition, was mutilated by gun-shot wounds from a volley of musketry. These acts of vandalism and violence naturally broke down the morale of employees and laborers alike; and under such conditions the officials of the company in March, 1868, felt it necessary to abandon the mines.

Computing the expenses incurred in the purchase, improvement, and curtailed development of their mining property, the value of the mines when abandoned, prospective profits, and the worth of ore later extracted, the claimants stated their loss at \$3,962,000.00. In common with the Weil claim, that of La Abra was unsupported by essential contemporary documents; and again, moreover, the company had not presented the claim to either government before submitting it to the commission sitting in accordance with the convention of 1868.⁵

The commissioners disagreed on both the Weil and La

⁵ For the above statements of fact and allegation *in re* La Abra claim, see United States-Mexican Claims Commission, Records on Case No. 489, *MSS.*, Dept. of State. The outstanding subsequent investigation of this claim was made, as will be noted, by the Senate Committee on Foreign Relations in 1888-1889. Copies of this evidence were printed as a part of the committee report, in *La Abra Silver Mining Company*, in 50th Cong., 2nd Sess., Sen. Report 2705, pp. 327-501. See also 48th Cong., 1st Sess., House Ex. Doc. 103, pp. 275-443.

Abra claims, leaving the decisions to the umpire. In his brief, Zamacona called attention to the fact that the testimony submitted in support of the former postdated the alleged events by several years; but, called upon suddenly to prove a negative, Mexico had offered none in rebuttal. On the general grounds of a lack of defensive evidence, therefore, Thornton in his decision of October 31, 1875, allowed the award, but authorized payment for the cotton at thirty, instead of thirty-five cents per pound, and interest at six instead of twelve *per centum*. Reduced by a pro-rata requisition made to bear the expense of the commission, this amounted to \$459,723.41 in American gold.⁶

Mexico attempted to refute La Abra claims before the commission by offering adverse testimony, consisting of depositions made by thirty-odd witnesses, including J. C. Granger and a few others who had testified previously in favor of the claimants. The Mexican commissioner stated that the whole claim bordered "almost on the absurd", but he failed so to convince the umpire. Seeing proof of perjury on either side, Thornton merely compared the evidence. The company had held mines in Mexico; and for some cause they had been abandoned. The issue, it seems, was not whether the company should be awarded damages, but how much. This proved, in the umpire's opinion, to be far less than the amount asked; but including interest at six *per centum*, it totaled \$643,713.14.⁷

Shortly before the umpire had decided all the cases referred to him, Mexico through the efforts of J. E. Slaughter, an ex-Confederate brigadier general residing in Mobile, Alabama, secured possession of evidence showing the true character of the Weil claim. During 1864, while commanding Confederate forces in the western district of Texas, with headquarters at Brownsville and San Antonio, Slaughter had been

⁶ United States-Mexican Claims Commission, Records, on Case No. 447, *MSS.*, Dept. of State; 48th Cong., 1st Sess., House Ex. Doc. 103, pp. 25-26.

⁷ United States-Mexican Claims Commission, Records on Case No. 489, *MSS.*, Dept. of State; 48th Cong., 1st Sess., House Ex. Doc. 103, pp. 27-44.

charged with the responsibility of revising all permits for the exportation of cotton across the Rio Grande, in accordance with the regulations of the Confederate Cotton Bureau. Because of new and varied experiences in that connection, including an acquaintance with Weil, Slaughter said he knew when he learned of the award that the whole claim was false. Then at the request of the Mexican government Slaughter collected and presented to its diplomatic officials at Washington two hundred thirty-odd items of proof.⁸

This new material included the following documents: An authentic copy of the formation, March, 1863, and the dissolution, December, 1865, of the firm of Levy, Bloch and Company, of which Benjamin Weil was a member; scores of letters and a few telegrams, comprising a large part of the business correspondence of the concern; numerous receipts for the purchase of cotton and other goods; a statement of October 18, to Governor H. W. Allen of Louisiana, in which Weil summarized his activities in the previous two years; and some fifteen depositions given in 1876 by different members of Weil's firm and other persons who were familiar with his business affairs during the year 1864.⁹

In view of the avowals given in support of the Weil claim some startling revelations were made by these documents. They show that Levy, Bloch and Company was engaged main-

⁸ For Slaughter's account, see J. E. Slaughter, *The Weil and La Abra Claims* (Washington, 1878), pp. 1, 3; an affidavit which he took in Mobile, October 22, 1877, included in *Weil and La Abra Silver Mining Company*, in 49th Cong., 1st Sess., House Ex. Doc. 274, pp. 142-143; and his testimony before the Senate Committee on Foreign Relations, February 21, 1889, in 50th Cong., 2nd Sess., Sen. Report 2705, pp. 878-912. Brief statements, prepared apparently in the Mexican legation, are found in 48th Cong., 1st Sess., House Ex. Doc. 103, pp. 196, 666-667; and 49th Cong., 1st Sess., House Ex. Doc. 274, p. 200. Slaughter doubtless was given a provisional promise of compensation for his work in the Weil case, but this writer has seen no proof of it.

⁹ The most important of these documents are on file in the archives of the United States Court of Claims where, as will be noted, the Weil case later was tried. Copies may be read more conveniently in the court's *Printed Records*, vol. 173. Texts of all them have been printed in 49th Cong., 1st Sess., House Ex. Doc. 274, pp. 124-244, to which subsequent citations will be made.

ly in the business of exporting cotton, and important manufactured goods and supplies intended for the Confederate forces. Its operations were based in part upon an agreement effected in January, 1863, with Governor L. C. Moore of Louisiana, and approved by Generals J. B. Magruder and E. Kirby Smith.¹⁰ Weil appeared to have a scrupulous regard for the interests of his firm and labored diligently in its behalf. He traveled widely over parts of Louisiana and Texas and, to the detriment of the subsequent claim, corresponded frequently with business associates and others.

These communications reveal Weil's whereabouts and major specific interests at various times. For instance, having but recently arrived in Houston from Louisiana, he wrote S. E. Loeb, April 11, 1864, that on the following day he would start for San Antonio. That journey must have taken him through, or at least quite close to, Alleyton whence, according to his claim, a wagon train with 1914 bales of cotton soon would depart; but there is no mention of such an individual enterprise in this or any of his letters. May 18 found him at Matamoras; then he doubled back to Navasota, Texas, seventy-five miles northwest of Houston, where, on June 2, he wrote that he was leaving for Shreveport. From there, subsequent letters show, he went to Alexandria, to Opelousas, back to Alexandria, and then again to Shreveport where he remained the greater part of September and October. On December 5 and 12, Weil dated letters in Brownsville; then, early in the new year, he crossed over to Matamoras for the first time since the previous May. The statement which he made to Governor Allen on October 18, 1864, verifies the fact that the claimant was in Louisiana, not Mexico, in September, 1864, when he was supposed to have been dispossessed of a large amount of cotton, and that throughout this entire year he was occupied

¹⁰ See Weil to E. Kirby Smith, September 15, 1864, in 49th Cong., 1st Sess., House Doc. 274, pp. 190-191; deposition of S. Finberg, August 4, 1876, in *ibid.*, p. 131; and deposition of S. E. Loeb, August 7, 1876, in *ibid.*, pp. 131-133. This contract was intended for the firm of Isaac Levy and Company, which consolidated with that of Bloch, Finberg and Company to form Levy, Bloch and Company.

wholly with the business of his firm.¹¹ These documents show also that, at the time of the alleged seizure, G. D. Hite was in the employ of the Confederate government, residing presumably at Shreveport. Later, he was detailed to Weil's service to facilitate the execution of the arrangement pertaining to the exportation of cotton.¹²

It is altogether improbable that Levy, Bloch and Company itself was able to finance the purchase of 1914 bales of cotton for one shipment. Certainly Weil could not have done so, and that, without the knowledge of his partners, who later testified they knew nothing of it. The matter surely would have come to the attention of Loeb who, in the spring of 1864, spent several days at Alleyton, and said that the firm itself shipped but 260 bales from there during the entire year.¹³

Had Weil's alleged purchase and shipment been made it may be assumed that news of a train of such unprecedented size, much less its capture, would have spread throughout that section of the country. Obviously, Confederate military authorities in southwestern Texas would have heard of it.

The scene now shifts back to Washington where the new evidence was presented to the umpire of the mixed commission on September 19, 1876, with motions for re-hearings in both the Weil and La Abra cases.¹⁴ On the grounds that the con-

¹¹Weil to Loeb, April 11, 1864, in 49th Cong., 1st Sess., House Ex. Doc. 274, pp. 175-176; same to same, May 18, 1864, in *ibid.*, p. 178; same to same, May 30, 1864, in *ibid.*, p. 179; same to same, June 2, 1864, in *ibid.*, p. 180; same to same, June 17, 1864, in *ibid.*, p. 180; same to Joseph Bloch, July 14, 1864, in *ibid.*, pp. 181-182; same to Loeb, August 29, 1864, in *ibid.*, pp. 184-185; same to M. Borne, September 5, 1864, in *ibid.*, p. 188; same to Loeb, September 20, 1864, in *ibid.*, p. 192; Weil and G. Jenny to H. W. Allen, October 27, 1864, in *ibid.*, pp. 200-201; Weil to Loeb, December 5, 1864, in *ibid.*, p. 207; same to same, December 12, 1864, in *ibid.*, pp. 208-209; same to same, January 9, 1865, in *ibid.*, p. 213; and a statement of Weil to Allen, October 18, 1864, in *ibid.*, p. 198.

¹²See Weil and Jenny to Allen, October 27, 1864, in *ibid.*, pp. 200-201; Hite to Loeb, March 11, 1865, in *ibid.*, p. 220; and a deposition by Loeb, August 7, 1876, in *ibid.*, pp. 131-133.

¹³*Ibid.* Marx Levy, another of Weil's partners, stated that the claim was "a base fabrication and a fraud from its beginning to its end". Deposition of Levy, July 30, 1877, in 49th Cong., 1st Sess., House Ex. Doc. 274, pp. 129-130.

¹⁴48th Cong., 1st Sess., House Ex. Doc. 103, pp. 65-72.

vention of 1868 provided that the original decisions would be final, and because he understood the umpire was not expected to consider any testimony which had not been before the commissioners when they gave their opinions, Thornton denied the requests. In regard to the Weil claim, however, he noted that

the agent of Mexico has produced circumstantial evidence which, if not refuted by the claimant, would certainly contribute to the suspicion that perjury has been committed, and that the whole claim is a fraud. For the reason already given, it is not in the power of the umpire to take that evidence into consideration, but if perjury should be proved hereafter no one would rejoice more than the umpire himself that his decision be reversed and that justice should be done.

Having in mind the commissioner's insistence that misrepresentation had been practiced *in re* La Abra case, Thornton said:

. . . If perjury can still be proved by further evidence, the umpire apprehends that there are courts of justice in both countries by which perjurers can be tried and convicted, and he doubts whether the Government of either would insist upon the payment of claims shown to be founded on perjury.¹⁵

Thus ended the deliberations of the commission on these two cases. Mexico accepted results of its proceedings on all of them as a "full, perfect, and final settlement" of the claims considered. That nation soon made the first payment on the balance awarded against it, but meanwhile reserved the right to show "at some future time, and before the proper authority of the United States" that the Weil and La Abra claims were fraudulent.¹⁶ Secretary of State Hamilton Fish, however, was disinclined to enter into a discussion of the matter. The Mexican government persisted. On September 7, 1877, it sent José I. Cuellar, the new Mexican minister at Washington, four

¹⁵ *Ibid.*, pp. 125-128.

¹⁶ Eleuterio Avila to Ignacio Mariscal, November 21, 1876, enclosure in Mariscal to Hamilton Fish, November 22, 1876, in 48th Cong., 1st Sess., House Ex. Doc. 103, p. 130; Mariscal to Vallarta, November 23, 1876, in *ibid.*, p. 129; and Vallarta to Mariscal, May 1, 1877, in *ibid.*, pp. 132-133.

hundred copies of a printed pamphlet on each case. Although they contained no relevant information which had not been before the mixed commission, Cuellar was instructed to distribute these tracts "among the public officials and other persons" to whom it might be convenient to explain why Mexico wished to make the appeal. When sending two of them to W. M. Evarts who had succeeded Fish at the Department of State, Cuellar stated that such an appeal was not intended to prevent the fulfilment of the awards, but to "make clear the fraud committed by the interested parties".¹⁷

Following these mild complaints the executive branch of the government at Washington referred the question to congress. Subsequently, the law of June 18, 1878, which made general provision for the distribution of the money to be paid by Mexico on all of the claims allowed, authorized the president to investigate the charges of fraud in the Weil and La Abra cases. If it was judged that they should be re-opened he was empowered to withhold the awards in question until a retrial could be held in a manner decided upon by the two governments or until congress should direct him otherwise.¹⁸ Meanwhile, the Mexican government sought to strengthen its position by the acquisition of further additional evidence.

After having provided the proof in the Weil case, General Slaughter, at the instance of Mexico, turned his attention to La Abra. In an agreement concluded at Washington with the Mexican minister on March 29, 1877, the ex-Confederate officer undertook to send an agent to Mexico City for the purpose of "securing testimony and proof of the fraudulent character" of the claims, and to provide any necessary assistance in pre-

¹⁷ Fish to Mariscal, December 4, 1876, in *ibid.*, p. 131; Vallarta to Cuellar, September 7, 1877, enclosure in, and, Cuellar to Evarts, October 6, 1877, in *ibid.*, pp. 135-136. Copies of the pamphlets under the titles of *Claim of Benjamin Weil, No. 447 vs. Mexico*, and *Motion for rehearing in the Claim of La Abra Silver Mining Company, No. 489 vs. Mexico*, it appears, are printed in *ibid.*, pp. 136-152 and 73-125, respectively. Reference has been made to a separate printing of the former in *ante*, footnote 3.

¹⁸ Evarts to Cuellar, January 24, 1878, in 48th Cong., 1st Sess., House Ex. Doc. 103, p. 156; *United States Statutes at Large* (44 vols., Boston and Washington, 1845-1927), XX, 144-145.

paring and presenting it to the government of the United States. Mexico agreed to pay the expenses of the agent after his arrival in Mexico City, furnish him with facilities necessary for the execution of his mission, provide one-half of the money—up to fifteen hundred dollars—needed to prepare and submit the evidence, and to compensate Slaughter in the amount of one-tenth of all or any portion of La Abra award which might be waived by the United States.¹⁹ Slaughter sent as his agent to Mexico, A. A. Green who, by dint of a previous sojourn there, was well fitted for the task. He soon contacted J. C. Granger, whom Superintendent Exall left in charge of the property at the mines, it is to be recalled, early in 1868. Now Granger was nursing a grudge against the company by reason of failure to secure compensation for his services. In a spirit of revenge, then, he surrendered certain original documents which he felt would impair the interests of the company. These included the letter-press copy-book of the office of La Abra mines, which contained copies of correspondence from January, 1866, to August, 1868; eight letters from the treasurer in New York to the superintendent, over the period from May 10th to October 18th, 1867; and five letters from Exall to Granger, written after the alleged abandonment of the mines in 1868.²⁰

Despite Granger's attitude, the authenticity of this material, with the possible exception of the second group of items, could hardly have been questioned; for the handwriting of T. J. Bartholow, the first superintendent, as well as of Exall and Granger, which appeared therein, corresponded

¹⁹ A copy of this agreement is printed in 50th Cong., 2nd Sess., Sen. Report 2705, p. 915.

²⁰ See Slaughter's testimony before the senate committee, February 21, 1889, in *ibid.*, pp. 878-879; R. B. Lines to A. B. Elder, January 17, 1878, in *ibid.*, pp. 634-635; Matias Romero to T. F. Bayard, February 9, 1886, in 49th Cong., 1st Sess., House Ex. Doc. 274, pp. 275-277. The originals or transcripts of the documents in question are also on file in the archives of the United States Court of Claims where later La Abra case was brought to trial. Copies may be read in the *Printed Records*, vols. 157-158. They have been included likewise in 49th Cong., 1st Sess., House Ex. Doc. 274, pp. 5-96, to which for convenience all subsequent citations will be made.

respectively with that in their depositions secured by the company in support of its claim. Mexico, however, sought further proof. After several months it located in the person of a purser employed by the Pacific Mail Steamship Company probably the best impartial witness then living, J. A. de Lagnel, to be remembered as the second superintendent of La Abra mines. When in port at San Francisco in December, 1878, he examined the documents which had been sent across the continent for that purpose, and identified the letter-press copy-book and the handwriting of the treasurer in his letters from New York to the superintendent at the mines.²¹

Slaughter and his agents, now including R. B. Lines, soon to become one of the legal counsel for Mexico, assisted by private detectives, were responsible for the acquisition of other damaging evidence bearing on the claim. This consisted mainly of eight depositions; numerous letters addressed to Lines; official reports of La Abra, made under the laws of the state of New York, covering the period from January 16, 1866, to January 20, 1877; and the copy of a judgment roll against the company.²² They failed to locate in New York certain intimate records of the home office, such as a record book, a cash book, and a letter-press copy-book, which, some of the officials later testified, had been destroyed or irretrievably lost soon after the claim was presented.²³

The new evidence they secured, however, revealed two simple but significant facts which completely broke down the claim. First, there was no basis for the allegation that the attitude of Mexican authorities necessitated the abandonment of the mines; and, secondly, because its mining operations had proven to be wholly unprofitable, the company by 1868 was

²¹ See Lagnel's testimony before the senate committee on September 24, 1888, when again he identified the material, in 50th Cong., 2nd Sess., Sen. Report 2705, pp. 6-10; and Romero to Bayard, February 9, 1886, in 49th Cong., 1st Sess., House Doc. 274, pp. 275-277.

²² *Ibid.*, pp. 96-122.

²³ See the testimony of Lines before the senate committee on February 21, 1889, in 50th Cong., 2nd Sess., Sen. Report 2705, pp. 922-939; testimony of Garth, October 5, 1888, in *ibid.*, pp. 171-224; testimony of S. S. Ely, February 27, 1889, in *ibid.*, pp. 939-971.

totally bankrupt. These facts may be substantiated by brief, specific references to only a few of the contemporary documents procured at its headquarters in Mexico.

Near the beginning of this study it was noted that, in presenting the claim, assertion was made that, on one occasion, the superintendent of the mines arbitrarily was arrested and imprisoned by Mexican officers. Yet the account is not confirmed in any of the contemporaneous reports to the New York office. Although Superintendent Bartholow stated in his deposition that soldiers of the republican army were responsible for the death of his employee, Groce, slain by a volley of musketry, in reporting the unfortunate affair at the time he explained that when found the body of the slain man was decomposed so badly it was "impossible to ascertain the manner in which he had been killed". A leader of the "liberal forces", he added, took immediate steps to bring the murderers to justice; and in a later report he stated that one of the three who had been involved was arrested and executed. When apprehended, this criminal actually was employed at the company's mines! In none of his despatches did this superintendent hint at trouble with Mexican authorities. On the other hand, he did mention having received at one time military protection for a shipment of machinery from Mazatlan to Tayoltita.²⁴ In an evident attempt to offset some false rumors which had reached New York, Superintendent Exall on October 6, 1867, wrote Garth:

There is no difficulties about authorities, boundaries, or anything else concerning the mines & hacienda, provided there is money in hand, & money must be sent.

The need thus expressed was not in the interest of bribery, as might appear, but for the legitimate purpose of settling just

²⁴ Bartholow to Garth, March 7, 1866, from "Transcript of the Original Press Copy-book of the Office of La Abra Silver Mining Company at its Mines in Tayoltita, State of Durango, Mexico, containing Letters from January 11th, 1866, to August 12, 1868" (to be cited hereafter as "Press Copy-book"), in 49th Cong., 1st Sess., House Ex. Doc. 274, pp. 15-18; same to same, April 10, 1866, in *ibid.*, pp. 24-26. The criminal referred to was convicted for killing a woman, but before the execution confessed to the murder of Groce.

debts and meeting current expenses at the mines.²⁵ By that time the company was in dire financial straits.

Proceeds from the mines never were sufficient, in fact, to meet operating expenses. The general state of affairs was revealed to the treasurer of the company in Lagnel's rather frequent reports. Yet the ex-superintendent's oral account "of the quality of the ores on hand" given in 1867, following his return to New York, was, in the words of the treasurer, "most unexpected and a powerful blow to our hopes". As superintendent, Lagnel had attempted to make both ends meet by the simple but unsatisfactory method of drawing on the home office. Even after having been instructed to desist he sent three drafts, for \$7,000, \$7,500, and \$5,000, respectively. The first of these was paid by the company; the second was settled by one of the directors; while the third was protested and returned. When directing Lagnel's successor to try and pay it, Garth stated that since all attempts to raise money had failed, company officials had advanced personally all they could, and the stockholders were unwilling to do anything, it was possible that the company must be sold out and reorganized.²⁶

Under Exall, conditions at the mines went from bad to worse. In August, 1867, Exall wrote that he could count on nothing positive from the ores on hand. A veritable plea for money was made in his letter of October 6. Then he was compelled to keep men "in mines which yield nothing, merely to hold them". Lagnel's last draft and one of his own for \$3,000 were returned to him for collection. The fact that his predecessor had failed to indicate with his signature on the

²⁵ See Garth to Exall, August 10, 1867, in 49th Cong., 1st Sess., House Ex. Doc. 274, pp. 91-92; Exall to Garth, October 6, 1867, from "Press Copy-book", in *ibid.*, pp. 80-81.

²⁶ See Lagnel to Garth, July 6, 1866, from "Press Copy-book", in *ibid.*, pp. 39-40; same to same, August 16, 1866, in *ibid.*, pp. 44-46; same to same, October 18, 1866, in *ibid.*, p. 54; same to same, November 17, 1866, in *ibid.*, pp. 56-59; same to same, January 5, 1867, in *ibid.*, pp. 63-65; same to same, February 5, 1867, in *ibid.*, p. 68; same to W. C. Rallston, April 10, 1867, in *ibid.*, p. 71; Garth to Exall, May 20, 1867, in *ibid.*, p. 88; and same to same, June 10, 1867, in *ibid.*, pp. 89-90.

note his official status proved to be a technicality, Exall asserted, which prevented the seizure of the company's property for non-payment. Six weeks later, the superintendent was almost frantic. Sorely disappointed at not having received funds, he wrote that soon he would have to discharge the few men at work in the mines. The company should act promptly. "*Please do something immediately*", he urged, "and inform me as speedily as possible". Unable, however, and doubtless unwilling as well, the company did nothing. Then on January 24, 1868, from Mazatlan Exall wrote:

I came down to meet steamer from San Francisco, in hopes of receiving letters from you; I received none, and now being entirely out of funds and stock, and being sued by the agents from B'k of California for the payment, have to let things take their own course, as I am unable longer to protect your interests here. . . . I am doing nothing whatever at the mines, and cannot until I receive money to operate with; I haven't means to protest now and they are liable to be denounced at any moment. . . .

. . . I am owing considerable and no means of paying. What is your intention? Is it to let your interest here go to the dogs? You have either to do this or send money to protect them. If by next steamer I receive no assistance from you, I intend leaving for the East. . . . I have been doing everything in my power to keep the Bank of Cal. from getting possession; thus far have succeeded, but can prevent them no longer, and fear they will eventually have their own way. . . .²⁷

After having entrusted the affairs of the company in Mexico to Granger, his one remaining employee, on February 21, 1868, Exall left Mexico apparently intending to return by the following November. In New York, his letters to Granger show, he found that the officials of the company manifested the

utmost indifference regarding or in reference to everything belonging to or connected with their affairs in Mexico.

²⁷ Exall to Garth, August 5, 1867, from "Press Copy-book", in *ibid.*, pp. 78-79; same to same, October 6, 1867, in *ibid.*, pp. 80-81; same to same, November 17, 1867, in *ibid.*, pp. 82-83; and same to same, January 24, 1868, in *ibid.*, pp. 86-87.

Garth was particularly disgusted with the enterprise, and wanted nothing more to do with it. Exall was unable to collect the back salary owing to him and Granger; while down in Mexico, the latter on August 12, 1868, found it impossible to meet for the company a tax bill of \$52.50.²⁸ So far as the available records show, this climaxed the activities of an undertaking which, as represented to the mixed commission, gave promise of yielding an annual profit of one million dollars!

Again the scene shifts back to Washington; and the history of the Weil and La Abra Claims as such is resumed, beginning near the close of 1878. Having taken the necessary steps to give it "a character that would satisfy all judicial requirements", Zamacona, the newly appointed Mexican minister, sent all of the new evidence to the department of state. These documents were accompanied by summary statements, prepared by Mexican legal counsel, containing point by point in parallel columns the testimony before the arbitral tribunal and the new evidence offered by Mexico.²⁹

After studying these documents and briefs and hearing oral arguments for both sides, Secretary Evarts on August 8, 1879, made his report. This opinion of the executive branch of the government held that, although the matter was not properly a subject of further negotiation between the United States and Mexico, since the conduct of the claims before the arbitral commission could not be impeached, the new material submitted by Mexico did cast grave doubt upon the integrity of the Weil claim and the sincerity of evidence relating to the measure of damages with regard to that of La Abra. "The honor of the United States", Evarts continued, "does require that

²⁸ Exall to Granger, February 21, 1868, from "Press Copy-book", in *ibid.*, p. 87; same to same, May 8, 1868, in *ibid.*, pp. 93-94; same to same, June 15, 1868, in *ibid.*, pp. 94-95; Granger to D. Remigo Rocha, August 12, 1868, in *ibid.*, p. 87.

²⁹ Zamacona to Evarts, December 11, 1878, in 48th Cong., 1st Sess., House Ex. Doc. 103, p. 192; same to same, January 11, 1879, in *ibid.*, p. 273. For the prepared statements, to which reference already has been made in this study, see *ibid.*, pp. 210-272 for the Weil claim, and pp. 275-443, for La Abra.

these two cases should be further investigated by the United States to ascertain whether this Government has been made the means of enforcing against a friendly power claims of our citizens based upon or exaggerated by fraud”.

Authority for such an investigation, he stated, must proceed from congress.³⁰ That body, however, refused to take the lead. A bill providing that the cases be referred to the United States Court of Claims was disapproved by the senate committee on the judiciary which on June 10, 1880, held that the proper way to re-open them would be “by a new convention” between the two governments.³¹ Then, despite Mexico’s protests, the executive considered itself bound, in absence of counter instructions on the part of congress, to distribute to the Weil and La Abra claimants their proportionate share of the money received from Mexico, thus discontinuing the previously adopted policy of suspending these payments.³² With the expiring Hayes administration, therefore, the whole matter seemed to have been a closed incident.

Subsequent events, though, took a decided turn. Acting, as it may be assumed, upon advice given by General Slaughter, Mexico located in the archives of the United States Treasury Department further pertinent evidence in the Weil case. This consisted of a deposition given by one of Weil’s witnesses, J. M. Martin, before the Southern Claims Commission on December 30, 1871, and a series of special reports by A. F. Wild, a secret agent of the treasury department stationed in New Orleans.

³⁰ Evarts to President Rutherford B. Hayes, August 8, 1879, in *ibid.*, pp. 581-582. For printed copies of the oral arguments before the Secretary of State, see *ibid.*, pp. 449-552.

³¹ *Benjamin Weil and La Abra Silver Mining Company*, in 46th Cong., 2nd Sess., Sen. Report 712.

³² Evarts to Zamacona, August 17, 1879, in 48th Cong., 1st Sess., House Ex. Doc. 103, pp. 188-189; Juan N. Navarro to Evarts, February 2, 1881, in *ibid.*, p. 628; Evarts to Navarro, February 5, 1881, in *ibid.*, pp. 628-629. Immediately following Evart’s report of August 8, 1879, the suspension of payments was lifted in the case of La Abra claimants, for to the executive department it then appeared that the guilt therein related only to the amount of damages involved. Then when congress failed to take action in 1880 the Weil claimants were given their *pro rata* share of the awards.

The deposition revealed that Martin had resided on a plantation near Alexandria, Louisiana for three years prior to April, 1864. Then after spending a month at New Orleans he removed to Ohio where he lived for nearly a year before returning to the south.³³ This conflicts, of course, with the oath made previously in the Weil case to the effect that Martin was in Mexico on September 20, 1864, when allegedly Weil had lost 1914 bales of cotton. Further data on Martin's perjury may be gained from Wild's reports.

This treasury agent stated that in May, 1876, while a clerk in the office of Judge M. A. Dooley of New Orleans, before entering government service, he heard Martin ask Dooley to handle a negotiation with Mexico for the sale of the proof of fraud in the Weil claim. Dooley agreed, entered into a correspondence with the Mexican minister at Washington, and consented to an interview with General Slaughter; but he withdrew from the case after learning that Martin previously had testified in favor of the claim. Apparently unaware of Wild's change of employment, Martin continued to confide in him through the greater part of 1878. The treasury agent learned that Martin and Hite frequently had exacted money from the claimants (Weil had died in an insane asylum soon after the award was allowed) by confronting them with letters, allegedly originating with the Mexican minister but in reality written in New Orleans and mailed by an accomplice at Washington, which purported to offer the two perjurers money to reveal the fraud and the character of the proof. Then, as a crowning act of their duplicity, they set their price at twenty thousand dollars, and offered Wild five thousand to handle the deal with Mexico.³⁴ Needless to state, Wild did not cooperate.

On May 12, 1881, Zamacona addressed to Secretary James G. Blaine a note asking that the Mexican legation be furnished with certified copies of the above-mentioned documents in

³³ For a copy of this deposition, see *ibid.*, pp. 632-634.

³⁴ Wild's separate reports were dated September 17, September 26, and October 19, 1877, and February 23, April 25, May 18, June 22, and September 24, 1878. See *ibid.*, pp. 635-638.

the treasury department.³⁵ In granting the request, Blaine's reply, delayed by events connected with the tragic death of President Garfield, stated that the United States could have no less interest than Mexico in "probing any allegation of fraud whereby the good faith of both in a common transaction may have been imposed upon".³⁶ Definite action then followed. By executive order, President Arthur suspended further allocation of awards in respect to the Weil and La Abra claimants. The former had received only \$171,889.64 of the whole amount granted, the latter \$240,683.06. Yet, it should be noted in passing, no further distributions ever were made, although at different times legal measures were taken in vain attempts to compel the secretary of state to do so.³⁷ Meanwhile, in an attempt to find a solution for the whole problem, the executive branch of the government acted in accordance with the specific recommendation made by the senate committee of the judiciary June 10, 1880.

Following a series of negotiations, a new convention was signed on July 13, 1882. It affected in no wise that part of the awards already distributed to the claimants; for such was to be regarded as finally settled. The remainder in each case, however, was to be withheld pending the decision of a

³⁵ Zamacona to Blaine, May 12, 1881, in *ibid.*, pp. 629-630. In making this request Zamacona reminded Blaine that in 1852 the United States had applied to Mexico for documents which would be of value in completing the proof of fraud in the claim of George A. Gardiner submitted to the commission set up in accordance with the Treaty of Guadalupe-Hidalgo. Then a representative of the United States had written: "Should the Government of Mexico, at any time, stand in need of future acts of comity on the part of the Government of the undersigned, he trusts he need hardly assure his excellency that they will be made cheerfully and promptly rendered." See Alfred A. Conkling to M. Yanes, December 7, 1852, in 33rd Cong., 1st Sess., Sen. Report 182, p. 158.

³⁶ Blaine to Zamacona, December 9, 1881, in 48th Cong., 1st Sess., House Ex. Doc. 103, p. 631.

³⁷ Statements showing the amounts distributed to the two groups of claimants with dates are given in *ibid.*, pp. 645-647. In 1884, suits were entered in the Supreme Court of the District of Columbia to force the secretary of state to distribute the awards. In 1889, such action again was taken with reference to La Abra. The Supreme Court of the United States, to which the cases were appealed, in each instance upheld the action of the secretary in withholding the money. See *Frelinghuysen vs. Key*, 110 U. S. 63; *United States ex. rel. Boyton vs. Blaine*, 139 U. S. 306.

specially appointed arbitrator by whom the two claims should be retried. Each government was permitted to appoint an agent and a counsel; while the necessary arrangements were made to compel the attendance of witnesses, the taking of testimony, and the production of papers and documents as evidence. It was agreed also that, if the arbitrator concluded the claims had not been based on fraud, Mexico should continue to pay the instalments on the awards as they fell due. If it was determined that the claims had been but partially fraudulent, the arbitrator should specify the exact amount Mexico owed. If they were found to have been based wholly on fraud, Mexico was discharged from paying further awards on them, unless it was proved that third parties acting in good faith had acquired vested interests which should be protected. In that case again, it was left for the arbitrator to determine the amounts due from Mexico in each instance.³⁸

This proposal for a retrial of the claims met with strenuous opposition on the part of original owners and assignees of the awards concerned. Leading the fight outside the senate was the noted lawyer and author, George Ticknor Curtis, one of the counsel for La Abra Company, who was promised the sum of \$2,500, over any above certain regular fees, to effect the rejection of the treaty, provided its defeat should be followed by a further distribution of the company's awards then in the custody of the secretary of state.³⁹ Curtis was very diligent. Undoubtedly, he made personal appeals to individual senators; he argued before the senate committee on foreign relations; and in 1885 he published at Washington for distribution among the members of the senate a searing attack upon the treaty in the form of a 26-page pamphlet entitled *International Arbitrations and Awards*. Therein, Curtis gave an incomplete review of the claims involved, making some misleading, not to say erroneous, statements of fact but his em-

³⁸ The text of this treaty is printed in *Claims against Mexico*, in 49th Cong., 1st Sess., Sen. Report 1316, pp. 15-17.

³⁹ This amount represented two assignments, one of \$850 on April 24, 1884, and another of \$1650 on May 29, 1885. MSS., Department of State, Miscellaneous Letters, June, 1884, Part II; *ibid.*, April, 1886, Part II.

phasis was upon an apparent conviction that the system of international arbitrations for the adjudication of private claims would be menaced seriously unless the awards made in such settlements always were regarded as final.

This publication was answered in another pamphlet, *International Awards and National Honor*, published in Washington the next year by the leading counsel for the Mexican Government, John W. Foster, United States minister to Mexico from 1873 to 1880. In addition to presenting his client's point of view with respect to the Weil and La Abra claims, Foster paid respects to the attainments of Curtis as a judicial advocate, but asserted that the latter's pamphlet could not be regarded as an authoritative

treatise on international practice, diplomatic history, or even domestic legislation and procedure in matters pertaining to international private claims.⁴⁰

Meanwhile, the senate had paid but relatively little attention to the treaty. In January, 1883, several months after the customary committee report, it was defeated by the non-partisan vote of *yeas* 33, *nays* 20. This action was rescinded immediately. Only brief consideration at sporadic intervals followed, however, until April, 1886, when the treaty again was rejected, this time by the count of *yeas* 32, *nays* 26.⁴¹ Thus the whole question was thrown back into the field of domestic legislation.

The weight of evidence shows that despite the previous recommendation of its committee on judiciary the method proposed, not motive involved, formed the basis for senate opposition to the treaty providing for the retrial of the Weil and La Abra claims. For instance, T. F. Bayard, a member of

⁴⁰ Foster, *International Awards and National Honor*, pp. 3, 11.

⁴¹ *Journal of the Executive Proceedings of the Senate of the United States of America, 1789-1901* (32 vols. in 34, Washington, 1928-1911), XXIII, 595; and XXV, 429-430. Elsewhere this writer has discussed this treaty as one of the few which, having received a majority but not a two-thirds majority vote, was defeated by the operation of the two-thirds rule in senate action on treaties. See R. Earl McClendon, "The Two-thirds Rule in Senate Action upon Treaties, 1789-1901", in *American Journal of International Law*, XXVI, 37-56.

the senate from 1869 to 1885, later as secretary of state wrote:

It is fair to assume that the rejection of the treaty . . . was in no sense an expression adverse to their [the Weil and La Abra claims] investigation. . . . It is rather to be regarded as an approval of the opinion . . . that the investigation should, under the circumstances, be made by this Government for itself, as a matter affecting solely its own honor.⁴²

The same general opinion had been expressed, soon after the treaty was rejected, by the senate committee on foreign relations, in a report favorable to the adoption of two bills providing for a judicial investigation of the fraudulent claims.⁴³

Events in the subsequent history of the claims moved slowly, but may be sketched rapidly. No final action was taken on the two bills just noted; yet neither government lost interest in the matter. When complying with senate resolutions requesting copies of the related correspondence held with Mexico during the previous two years, President Cleveland on March 5, 1888, recommended that congress make provision for referring these cases to the United States Court of Claims, or such other tribunal as might be deemed appropriate, so that a complete investigation of the charges of fraud could be made.⁴⁴ This message was followed by proposed legislation designed to carry out the suggestions of the executive, and a special investigation of La Abra claim under the auspices of the senate committee on foreign relations.

This inquiry, conducted over a period of five months beginning in September, 1888, consisted largely of a series of hearings at which counsel on both sides examined numerous witnesses, including surviving officers, members, and agents for the company, as well as individuals who had been instrumental in furnishing the new evidence which Mexico had sub-

⁴² Bayard to President Cleveland, February 28, 1888, in *Awards of the Mexican Claims Commission*, in 50th Cong., 1st Sess., Sen. Ex. Doc. 109, p. 6.

⁴³ 49th Cong., 1st Sess., Sen. Report 1316, p. 5; 49th Cong., 1st Sess., *Congressional Record*, April 21, 1886. Technically, the report related only to the Weil claim, but was applicable to both.

⁴⁴ 50th Cong., 1st Sess., Sen. Ex. Doc. 109, p. 1.

mitted after the mixed commission had made its award in 1875. A study of the testimony and the documents involved, to both of which frequent reference has been made in the course of this study, readily convinced a majority of the committee that insofar as it charged Mexico with the responsibility for the company's loss the claimants' testimony before the commission was rank perjury. The senate committee report, dated March 1, 1889, further asserted that:

The idea of making a claim against the Mexican Government . . . appears to have been conceived long after the abandonment of the mines by the company, to have been a gross fraud in its inception, to have been based upon fraudulent allegations supported by false swearing and manufactured testimony; and it is impossible, in the face of the correspondence covering the period when the company was making preparations to work its mines in Mexico and while they were being worked, to conceive that the officers and agents of the company in New York w[e]re not active participants in the fraud.

Holding that congress did have the power to reopen the award, an exercise of authority doubted by some, the report, finally, solicited the support of a bill authorizing the attorney general to proceed against the company in the Court of Claims.⁴⁵ Yet the proposal was left in abeyance for the time being.

There was, in fact, a further delay of more than four years. In two acts which were approved on December 28, 1892, however, congress did confer jurisdiction on the tribunal in question to investigate both the Weil and La Abra claims.⁴⁶ This was done. In addition to the relevant documentary material already considered in this study the court had before it numerous concurrent depositions which added to the weight of evidence.⁴⁷ The findings were the inevitable—fraud, with the claimants or their agents barred from receiving payments

⁴⁵ 50th Cong., 2nd Sess., Sen. Report 2705. This document of approximately one thousand pages includes, besides the committee's report, copies of the testimony of witnesses and important related documents. Reference here is made to pp. 7-8 of the report proper.

⁴⁶ *United States Statutes at Large*, XXVII, 409-412.

⁴⁷ *MSS.*, Court of Claims. See *Printed Records*, vols. 157-158, 173.

of the awards. The opinion *in re* La Abra was handed down in June, 1897, that on the Weil claim in January, 1900. The former was taken on appeal to the United States Supreme Court which, however, upheld the original decision. The opinion in the Weil case became final by reason of failure to perfect an appeal.⁴⁸ Now only the matter of retribution remained; and that was speedily effected.

Soon after the suits had been concluded, the undistributed portions of the awards which had been paid by Mexico in favor of the claimants, \$403,030.08 on account of La Abra and \$287,833.71 with respect to the Weil claim were returned to Mexico.⁴⁹ The United States, however, went further. It paid Mexico \$412,572.70 in absolving the amount of the awards which had been distributed to the claimants,⁵⁰ thereby assuming a loss of almost one-half million dollars because of fraudulent impositions practiced by certain of its citizens against both their own government and that of a friendly power. No evidence has been seen that any punishment was meted out to the perpetrators of these frauds.

R. EARL McCLENDON.

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⁴⁸ United States *vs.* La Abra Silver Mining Company, 32 Court of Claims, 462; United States *vs.* Alice Weil *et al.*, 35 Court of Claims, La Abra Silver Mining Company *vs.* United States, 175 U. S., 423..

⁴⁹ John Hay to M. de Azpiro, March 28, 1900, in *La Abra Silver Mining Company*, in 56th Cong., 1st Sess., Sen. Doc. 271, p. 42; same to same, November 12, 1900, in "Unexpended Balance of Award in Favor of Benjamin Weil," in 56th Cong., 2nd Sess., House Doc. 182, p. 2.

⁵⁰ Same to same, March 6, 1902, *MSS.*, Dept. of State, Notes to the Mexican Legation, X.

DOCUMENTS

A DESPATCH OF WILLIAM TUDOR

The first treaty between the United States and Brazil is dated at Rio de Janeiro, December 12, 1828 (for the text, etc., see Miller, *Treaties*, III, 451-484). The Plenipotentiaries were, for the United States, William Tudor, Chargé d'Affaires at Rio de Janeiro, and, for Brazil, Marquez do Aracaty, Minister of Foreign Affairs, and Miguel de Souza Mello e Alvim, Minister of Marine.

The independence of Brazil had been recognized by the United States on May 26, 1824, when José Silvestre Rebello was received by President Monroe as Chargé d'Affaires (Memoirs of John Quincy Adams, VI, 354-355, 358-359) and by Portugal by the treaty between Brazil and Portugal of August 29, 1825, made under the mediation of Great Britain (12 British and Foreign State Papers, pp. 674-678).

The treaty of 1828 with Brazil was very largely taken from the treaty between the United States and the Central American Federation of December 5, 1825 (Miller, *Treaties* III, 209-238); but to the most-favored-nation clause of Article 2 was added an exception in respect of the relations between Brazil and Portugal; this exception was necessary because of Article 10 of the treaty of 1825 between Brazil and Portugal; and a similar exception is to be found in other treaties of Brazil of this period: France, January 8 and June 7, 1826 (13 British and Foreign State Papers, 805-821); Austria, June 16, 1827 (15 *ibid.*, 923-931); Great Britain, August 17, 1827 (14 *ibid.*, 1008-1025); Prussia, July 9, 1827, and April 18, 1828 (16 *ibid.*, 1201-1205); Hanseatic Republics, November 17, 1827 (14 *ibid.*, 715-723); Denmark, April 26, 1828 (15 *ibid.*, 717-729); and the Netherlands, December 20, 1828 (16 *ibid.*, 557-565).

In the despatch of Tudor here printed (of the same date as the treaty) he gives some account of his negotiation and compares the terms of his treaty with the earlier instrument on which it was based. Tudor's despatch, with which the treaty was transmitted, was received at the Department of State on February 25, 1829, and thus in the last days of the John Quincy Adams administration. With the presidential message of the next day the treaty was sent to the

senate and with it the original of Tudor's covering despatch (see 4 Executive Journal of the Senate, 4); unanimous advice and consent of the senate were given on March 10, 1829, within a week after the inauguration of Jackson (*ibid.*, 10); ratifications were exchanged, and proclamation of the treaty issued on March 18.

However, the senate neither printed the despatch of Tudor nor returned the original; and no copy had been kept in the Department of State. A few years ago, the present commentator sought in vain for a copy of the despatch (see Miller, *Treaties*, III, 476-477); since then, however, the papers of the senate have happily been transferred to The National Archives; Dr. R. D. W. Connor, the Archivist of the United States, was good enough to have search made, and, after the original despatch was found in the senate files, to furnish a photostat; with that photostat, the text here printed has been collated; and so, after having lain unprinted and unread for more than a century, this despatch of William Tudor is now made available.

HUNTER MILLER.

Craiglands, Victoria, British Columbia
September 5, 1938.

[The Despatch]

Rec'd 25 feby 1829.

No 116.

Confidential

Legation of the U. S. A.

Rio Janeiro, December 12th, 1828.

Sir,

I have now the honor to inclose the Treaty which I have signed with the Brasilian Plenipotentiaries. After its being seven weeks in the hands of the Council of States, I was at length obliged to press very closely for its completion, with the hope it might reach you in time to be acted upon during the present session. Having no one to aid me in copying or collating, and with a pressure of business, & unluckily at the same time an access of indisposition that almost incapacitates me for it, I fear there may be some verbal errors tho' I trust not serious ones.

As I have informed you in previous letters, I submitted as a basis, the Treaty with Central America: and as this has been adopted with a few alterations, I will for the sake of convenience remark upon this in comparison with that Treaty, which will facilitate the examination.

1. In our first conference I suggested the omission of the Invocation of the Trinity; they looked grave, as a little started at the proposition, and said they always adopted it. I then remarked that my suggestion was not made from any doubts of the doctrine, I subscribed to it; but I thought as we had so many proofs, that such an appeal did not sanctify what it covered, tho' intended reverentially it might be thought more justly to have a constant effect. I asked

what was the reason for selecting this dogma in preference to any other of the Christian faith, a question I have frequently asked in South America, & never had a satisfactory answer. My own opinion as to its origin may be erroneous, but if it be just, it is a form wholly inapplicable except in treating with Musselmen, where it would be disputed.

2. In the first section of the preamble, you will perceive a slight alteration of the phraseology, which I made as more suitable to the temporary circumstances of our relations. In the *First Article* (as before-mentioned the reference is to the Treaty with Central America) there is no alteration.

3. In the *second Art.* there is an addition reserving to Brasil the right of forming an exception, with regard to Portugal. All the Treaties they have negotiated with England, France, Austria, Denmark, the Hanse Towns, and Holland, contain it; & I found for reasons that I need not enlarge upon, that it was impossible to avoid it. I however stated distinctly that it was contrary to my instructions. They however assured me, & I am convinced of it, that the exception will not have any effective operation. Besides the recent law equalizes the duties for all nations. By their present Treaty with Portugal she pays 15 pr ct duty, they can not lessen this, the state of their finances forbids it. Nearly the entire revenue is derived from the Custom House & is inadequate for their wants, & it is impossible for [them to] diminish it by an[y] favours to Portugal during the term of this Treaty. When their present Treaty with England expires, they will be at liberty to raise their tarif [*sic*], until then they have bound themselves not do so. I believe therefore the exception will be harmless. I hope these reasons without further details will justify my assenting to it.

4. The *Third Art.* is without alteration. There is an addition to the *Fourth*, respecting Brasil Ships, agreeing that if the owner & Captain are Brasilians, & the papers are in due form, they shall be so considered. This provision is also inserted in all their Treaties. I hope it will not be considered essentially injurious.

5. Articles 5, 6, 7, 8, & 9 are adopted without alteration. To the 10th is added uselessly I think the words, "*unless they be destined for consumption*"—*entered* may be substituted for *destined*, as a more exact term, but I did not like to make an erasure, tho' it is a careless translation. You will here perceive, what I have found throughout, that they felt an excessive suspicion on every point however remotely connected with the revenue. They feel so sorely the most impolitic manner by which they fettered themselves in their Treaty with England, and that during the existence of that Treaty they can make no increase of duties, that I found they were anxious lest they might commit themselves in the slightest manner on this subject. This appears again in the *11th Art.* They wished to strike out the latter of that article, because they said it was useless; that Americans might hold real estate as well as all other in Brasil. I told them that in general aliens could not hold real estate with us, & that the clause was wanted for their protection: the prohibiting any duties of detraction excited their fears as making an opening, that might be used against the revenue; at length it was agreed it should remain subject to the alteration you will observe, after the words, "*without molestation*" it reads "*nor any other charge than those imposed by the laws of the country*". But according to their laws the whole provision is unnecessary.

In *Art. 12*, there is an omission of some importance—all the latter part was struck out so that it terminates with the words, “*in all their trials at law*”. I tried hard to prevent this, but they said that it was out of their power to agree to it, however they might desire it. That their laws needed great reformation, that I had seen what the Emperor had said upon the subject, & the whole nation was anxious for a reformation, which they trusted would soon take place, but that in the meantime they could do no more that put us on an equal footing with their own subjects.

7. The *13th Art.* is without alteration. In the *14th*, in the clause, “of those who are the enemies of both or either party” the words of both are struck out. The Marquess of Aracaty told me, in our last conference on the subject, that this objection was made in the Council, they asked how it was possibly for one enemy to be trading directly with another, and that neither he nor the Minister of Marine could answer the difficulty, after considering it a little, I was obliged to own myself in the same predicament, & therefore assented to the words being omitted. In the *15th Art.* the term of *two months* is extended to *four*, this was a suggestion of the Council on account of the distance of Brasil. I assented to it.

8. Articles 16, 17, & 18 are adopted without any change. In *Art. 19* there is an addition relative to vessels lading a cargo in a blockaded port, it was suggested by them, & appearing to me to harmonize with the general principle, I agreed to it.

In *Art. 20* you will see the provision as to the ship of war visiting a neutral is changed. I made the alteration in part, as regarded the boat, which it was *impossible* for any ship of war to comply with. The Minister of Marine being a navy officer also, objected to the keeping beyond the reach of cannon shot, which is nearly impossible, & which in almost every case it would be unjustifiable in any officer to do. As it now stands being practicable, it is more likely to be complied with.

9. In the *21st Art.* they wish to strike out the concluding part, which would have made the law decisive, & the vessel must be condemned for want of the documents specified. But I convinced them this might be very cruel in its operation, that a Captain might lose his papers, have them stolen &, it was therefore agreed it should remain inserting after the words, “*unless the same defect*”, shall be proved to be owing to accident. Articles 22 to 32 both inclusive are copied without alteration. The *first* section of *Art. 33* was altered by me to provide against the unintentional expiration of the Treaty according to your instructions.

You will perceive that I have made no provision for the admission of stores for our ships of war on board private merchant ships, tho’ the subject is alluded to incidentally in one of your letters. I did not omit this without much reflection & observation, and a full conviction that we shall gain by adopting the practice of other nations and sending out these supplies in regular transports. This is question which not only applies to Brasil, but also to Chile & Peru, & may hereafter to other countries. In the first place, the offer of reciprocity is wholly nugatory, it is hardly possible to imagine a case, where any of these countries should have a squadron stationed on our coast. Bringing out merchant stores in a vessel that has other cargo, or that is not entirely in government service, leads to suspicion, that smuggling may be facilitated by it, a topic on which

they are very sore, as they suffer so much. And when they ask why we do not follow the same course as the English & French & use transports that carry a pendant & therefore meet with no obstruction or even visit from the custom house it is difficult to answer. In Peru¹ I obtained an exemption from duties on our stores but in Chile we always have paid and still do pay a Duty & heavy government storage. Here they gave fair warning on the subject. But it is not only the negative side is strong in this argument, the *positive* is equally so. I am convinced it would not only add greatly to the convenience of the Navy, but also be more economical in the end; and I hope all further trouble will be avoided, in these different countries, by taking up transports by the year, putting on board a lieutenant as an agent, & letting them wear a pendant. For this purpose it will be necessary to enact a law that no merchant vessel shall wear a pendant, which is not allowed by other nations to their merchant vessels, & which tho' a mere trifle is an important distinction. I will not enlarge upon this subject because I have done so elsewhere, but I hope you will not disapprove the course I have followed.

Whenever a Consular Convention is formed it will be necessary to insert an article on the subject of fees for the *exequatur*. Here the Commission is registered in several different offices, & the fees altogether exceed two hundred dollars.

I hope this treaty may be productive of salutary consequences besides enlarging our commerce. I believe its liberal, fair, reciprocal provisions have given them general satisfaction. The Ministers have more than once contrasted it with the European treaties full of jealousy, restriction, & limited as they say to one object that of the 15 per ct duty. The Minister of Foreign Affairs told me, that he should endeavour to make all future treaties conform to this, he says it is a proof of the liberal policy of both countries. The ideas I have mentioned as having thrown out respecting our similarity of interests in some points regarding the restrictive system of some European powers, their navigation laws, colonial system, etc. have taken root, & I have no doubt will fructify in time. I find they have meditated upon them, as more than once allusions have been made to the subject.

I will only add that I feel great anxiety, about this my first attempt in this way. I hope for the reasons before given, that the alterations I have assented to will not essentially deteriorate the excellent model, I had for my guide, nor impair the real value of the Treaty. I think it will prove of lasting importance to our relations with this country.

I have the honor to be
with great respect
Your Most Obedient
W. Tudor

To the Honble
Henry Clay,
Secretary of State.
Washington.

¹For Tudor's service in Peru, see Wriston, *Executive Agents in American Foreign Relations*, p. 423.

P. S. Since this letter was prepared, I received a note from the Marquess of Aracaty fixing tomorrow morning for signing, and since he has called on me himself to say that the whole documents are completed, the ratification signed by the Emperor with full powers to exchange. This is beyond my hopes—they told me two days ago that the latter could not be done, as the Emperor was going a short journey, to place one of his children in the country for a change of air, but that it should be got ready to send sometime hence. I was excessively desirous to have the whole completed now, and a little finesse by which I think this object was brought about, would make you smile in conversation, but is not here worth repeating.

BOOK REVIEWS

Asambleas constituyentes Argentinas seguidas de los Textos constitucionales, legislativos y Pactos interprovinciales que organizaron políticamente la Nación. By EMILIO RAVIGNANI (ed.). 5 vols. I, 1813-1833; II, 1825-1826; III, 1826-1827; IV, 1826-1862; V, 1861-1879. [Instituto de Investigaciones Históricas de la Facultad de Filosofía y Letras, Universidad de Buenos Aires.] (Buenos Aires: Jacobo Peuser, 1937-1938. Pp., vol. I, 1460; vol. II, 1452; vol. III, 1448; vol. IV, 1464; vol. V, 1532.)

This superb monument to Argentine historical scholarship was undertaken in compliance with a law of the National Congress promulgated in December, 1934, in commemoration of the eightieth anniversary of the proclamation of the Argentine constitution and the fiftieth of the death of Juan Bautista Alberdi. The fifth and last volume appeared early in 1938, the other four during the course of the preceding year. The work contains over seven thousand closely printed pages, and is scrupulously edited. The accomplishment of the task in so short a space of time represents an extraordinary labor on the part of Dr. Ravignani and his associates in the Instituto de Investigaciones Históricas, for which the reviewer wishes to express his deep admiration.

The compilation begins with the Constituent Assembly of 1813 and ends with the Convención Reformadora of 1898. It includes all debates that have constitutional interest or importance, not only in the national congresses and constituent conventions, but also in the legislature of the Province of Buenos Aires. For the actions of the latter were in several epochs the "determining cause of the crisis", as the editor remarks, owing to the Province's fear of losing either its hegemony in the nation or its autonomy or territorial integrity. The collection also includes all laws, resolutions, projects of constitutions, inter-provincial pacts, and other national or provincial documents which "contain any illustrative element of a national character". Many of these documents, including some of the inter-provincial pacts, have not been easily accessible, and some, such as the Project of the Constitution of 1819, are now made available for the first

time. None has ever before been reproduced with such conscientious accuracy and completeness. The material has been taken in part from the earliest printed texts, if they exist, and in part from manuscripts in public and private archives; and the versions of debates as they appeared in contemporary newspapers are also included if they contribute additional information. This is especially the case for the record of the Congress of 1824-1827. Footnote annotations are not numerous, and generally refer to the provenance of the documents used or to the presiding officers at the various sessions. Each volume is illustrated with numerous facsimiles of the first and last pages of important printed and manuscript sources, often to exemplify the variant style of type used in the same series of printed proceedings.

The work is indispensable for anyone who wishes to comprehend with any degree of thoroughness how national unity was achieved by the Argentine people, and how the political structure of the nation was formed. Here is all the evidence of a political nature of the process by which Argentina passed from an absolutist and colonial régime to that of an independent, representative, and federal republic. Dr. Ravignani's Introduction at the beginning of the first volume is to be recommended to the reader for its excellent and authoritative commentary upon the constitutional development of the nation from the May Revolution of 1810 to the end of the century, for the editor's *credo* of the ideals of historical scholarship, and for his eloquent appeal to the patriotism of his fellow-citizens.

CLARENCE H. HARING.

Harvard University.

History of Colombia. By JESUS MARIA HENAO and GERARDO ARRUBLA. Translated and edited by J. FRED RIPPY. [The Inter-American Historical Series, Vol. II, with preface by the General Editor, JAMES A. ROBERTSON.] (Chapel Hill: The University of North Carolina Press, 1938. Pp. xii, [2], 578. \$5.00.)

The second volume of the Inter-American historical series maintains the high standard set by the first. In some respects it will be of more value to students and teachers because no other adequate history of Colombia in English has hitherto been available. Professor Rippy's translation is clear and very readable. He has omitted or summarized many portions which would be of less interest to American readers, without impairing the value of the book as a picture of Colombia's national development.

Henao and Arrubla cover the story from prehistoric times down to the present generation. The earlier section, after a good account of the Conquest, is largely devoted to a rather dull chronicle of a succession of Spanish presidents and archbishops, but there is also an interesting discussion of art, literature, education, and health problems in New Granada during the colonial period. There is an excellent account of the war for independence in New Granada, and a good account of political events from 1821 until 1909. In the original, the administrations since that of President Reyes are dealt with very briefly, but Professor Rippey has added a chapter of his own which carries the story to 1934.

The most serious criticism to be made against the book is that it deals almost wholly with the history of the Colombian upper class. It tells us little of the masses of the people. In the translation, even the chapter which Henao and Arrubla devote to the Chibchas before the Conquest is omitted. There is hardly any suggestion of the process by which the oppressed Indian of colonial times became the free and to a great extent Europeanized Colombian citizen of today. There is also little about the fundamental political and social changes which have taken place during the last generation. To the authors, who wrote from a decidedly conservative and pro-clerical point of view, these changes perhaps seemed less important than they do to the foreign observer. Perhaps in any event they are too recent for historical treatment, but it is difficult to understand the emergence of Colombia as one of the most progressive of the Hispanic American nations today without taking them into consideration.

DANA G. MUNRO.

Princeton University.

The Monroe Doctrine, 1867-1907. By DEXTER PERKINS. [The Albert Shaw Lectures on Diplomatic History, 1937.] (Baltimore: The Johns Hopkins Press, 1937. Pp. ix, 480. \$3.50.)

The famous declaration of December 2, 1823, is a source from which endless pages flow. Whoever now adds to the increasing volume feels, or should feel, that an explanation is due the public. Professor Perkins at any rate, on launching his first volume, was impelled to justify the step he was about to take. As he saw it, the writings which had already appeared left much to be desired. They tended merely to repeat what had already been said; they were not enough concerned with new discoveries nor with fresh interpretations; they

had not considered the subject from a sufficiently broad point of view; nor had they inquired into various neglected aspects of the story. In the interest therefore of a fuller understanding of what he calls the most important document in American diplomatic history, Professor Perkins embarked upon an undertaking which has now grown to ample proportions. The first of his volumes was an intensive study of the origin and first effects of the great declaration; the second carried the story on to the end of the French intervention in Mexico; and the third, the one now under review, ends with the second administration of Theodore Roosevelt. A fourth volume to embrace the succeeding years to the present time is projected. When the work is completed, as doubtless it will be within the next few years, the author will have to his credit a magnificent achievement. Indeed, what he has already done is a monument to his industry and to his scholarship.

The first volume conformed with remarkable fidelity to the author's own specifications. It was acclaimed when it appeared a dozen years ago as a genuine contribution to the study of the Monroe Doctrine. The second volume was equally well received. Of the third, it may be said that it is pitched on the same high level of excellence with the first and second. In its pages one does not detect any sign of flagging interest or waning industry. Sustained effort however is not all that the author has achieved. In this last volume he has overcome a difficulty that did not confront him in the earlier volumes; that is, he has brought his history without loss into the memory range of men now living. That is not easy to do, especially when questions about which so much has already been written are involved. In such cases the inertia, the preconceptions, the prejudices, the indisposition of the reader to learn what he already knows, must be overcome. That Professor Perkins does. The student of diplomatic history will find his treatment of these familiar topics fresh and altogether engaging.

The Caribbean is necessarily the locus of this study, for there the Monroe Doctrine had its principal applications during the four decades from 1867 to 1907. The first chapter is devoted to a consideration of the no-transfer and no-colonization principles as they affected various of the islands and mainland countries that border on the American Mediterranean. The second chapter which treats of the canal questions to 1895, includes a few extraneous subjects of minor significance. The very titles of the remaining chapters—there are only six in all—point to the Caribbean. These titles are: "The Venezuelan Crisis of 1895", "McKinley's Administration and the

Monroe Doctrine", "The Venezuelan Blockade of 1902-03", and "Non-Intervention Becomes Intervention", this last dealing in the main with the relations between the United States and the republics of Cuba and Santo Domingo. In the treatment of all these subjects the author made use not only of the archives of the United States but of other countries as well. Of particular significance is the fact that he had access to the documents of the British Foreign Office for the closed period after 1885. His use of the growing volume of memoirs and documentary collections goes without saying. Every one who deals with these subjects does that; but no one else seems to have examined so carefully as Professor Perkins has the numberless pages of congressional debate and the scattered and often valuable materials in the newspapers and periodicals of the United States and Europe.

To praise the whole is not to agree with every part. Obviously Professor Perkins's work is the result of his belief in the deep national significance of the declaration of 1823; but he seems to reject the view held by so many competent observers that the declaration became in fact a doctrine—a permanent policy, a fixed rule of action in foreign affairs. Non-colonization and non-interference did not for him remain its guiding principles. The no-transfer principle proclaimed by Polk, which was a logical and necessary deduction from the original proposition, was not the only addition to the declaration of Monroe. Numerous other so-called extensions, or modifications, or corollaries, whether logical or not, or whether consecrated by continued acceptance or not, are treated as if they were in essence of the doctrine. Appeals to the name of Monroe to justify territorial acquisition and forcible interventions are not characterized as false innovations. They are allowed to pass as evidence of a changed, a vitiated doctrine—a doctrine now of self-aggrandizement and not of self-defense.

It would perhaps be a more exact interpretation of Professor Perkins's view to say that the doctrine, if it had ever truly achieved that distinction, had ceased to be a doctrine at all. Whatever it may have been, it was now a mere shibboleth. "The candid historian", says Professor Perkins, "must insist upon the word". And for his part, he insists. He repeatedly uses Monroe shibboleth as a synonym or substitute for Monroe Doctrine. What he means seems to be this: The United States, at least in the forty-year period after the Civil War, appealed to the name of Monroe, as has already been intimated, not on the basis of the original principle of self-preservation but on the

basis of the changing aims of national ambition. The name of Monroe became therefore a catchword, a shibboleth, employed to suit the convenience of the moment. By 1907, Professor Perkins contends, the declaration in its original form and in its legitimate construction was no longer relevant. It had become "out-moded". A Europe passing successively through crisis, war, reconstruction, and depression could be no threat to the rising nations of the New World. Moreover, the United States "raised to the first rank among the states of the globe needed not to reiterate its principles, or argue its power; its position in the Western Hemisphere was secure for a long age to come".

A long age to come, indeed! How uncertain and ephemeral such generalizations appear in the light of the events of the day. Much nearer the truth was Thomas Jefferson when he declared that the pronouncement of Monroe "sets our compass and points the course which we are to steer through the ocean of time opening on us". No; not all Professor Perkins's readers will agree that the Monroe Doctrine is dead or dying, changed or vitiated, outmoded or unnecessary. Until the world changes the Monroe Doctrine will remain unchanged.

JOSEPH B. LOCKEY.

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Los Estados Unidos y Europa en Hispano América: Interpretación política y económica de la Doctrina Monroe, 1823-1933. By JORGE ROA. ([Havana]: Carasa y Cía., S. en C., 1935. Pp. XI, [XII-XXXI], 411.)

This is not just another volume on the Monroe Doctrine. It has some features that serve to distinguish it from the common run of books on the subject. Its emphasis on the economic aspects of the doctrine is alone enough to give it a place of its own. The author, who is a Professor in the University of Havana, rightly contends that the motives and effects of the declaration of 1823 were not altogether political but economic as well. To what extent the United States may have been actuated in the beginning by economic motives may be a question. Measured statistically its interest would appear to be small. But the United States looked beyond immediate results. From the beginning of its existence it had been the champion of the most favored nation principle and the opponent of the old order of commercial restrictions. If the action contemplated in the fall of 1823 should eventuate in making secure the independence of Hispanic

America, the area subject to free trade would be greatly extended. Ultimately, if not immediately, the United States would profit from that order of things.

Great Britain was moved by similar considerations. It also was unwilling to see the colonial authority with its commercial monopolies restored, and it, like the United States, expected to profit from free commercial relations with the new states. But Great Britain was in a position to reap benefits at once, for in addition to goods it had a surplus of capital for export. It was this quite as much as the political factor that induced Canning to take his stand with Monroe. Already, during the earlier stages of the struggle for independence, Britain had begun to supply the needs of Hispanic America in both capital and goods. The effect of the Monroe declaration was greatly to stimulate the process. The increase in the exportation of capital was particularly striking, and so clearly was it the result of the Monroe declaration that the author ventures to attribute to that pronouncement the creation of a new economic era—the era of absentee investment. That, if true, is no small effect of the policy adopted by Monroe and his associates.

From these interesting beginnings, the author carries the economic story forward to the period after the Great War, when the United States itself had capital to export. The ascendancy which Great Britain had held so long now passed momentarily to its American rival. The author's analysis of this changed situation is brief but sound. He is unable to detect the American economic empire which looms before the eyes of so many. He sees instead a vacillating economic policy, an ineptitude on the part of the United States for imperialism. Conditions in one administration that seem to favor the pursuit of an imperialistic policy invariably change in the next. Effective in keeping Europe and America politically separate, the Monroe Doctrine has not been employed to make them economically separate. Blaine's idea of a Pan-American economic union has not been realized. Nor have other similar ideas met with a better fate. The latest, the good neighbor policy, lacks practical economic content. An economic system exclusively and typically inter-American, which the author seems to think is desirable, is yet to be created.

The book is not without its faults. It devotes too much space to a rehearsal of the old, often-repeated political story, and too little to the less exploited economic aspects of the subject. It would have been a better book if the emphasis had been reversed. There are other faults.

Authorities are not cited; important works, such as those of Dexter Perkins on the Monroe Doctrine and those of Alexander Hamilton upon whose authority the author rests his economic case so largely, are omitted from the bibliography; the titles in the bibliography are often incorrectly or inadequately listed; and throughout, the typographical errors are far too numerous. But a book may have merit despite its faults. The merit of this one does not consist entirely in its economic interpretation of the Monroe Doctrine. The fact that the author writes from the point of view of a country that has felt the effects of the doctrine more perhaps than any other and the further fact that he writes with scholarly detachment add interest to his interpretations and a color of novelty to his recital of even the most familiar facts.

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South American Dictators during the First Century of Independence.

Edited by A. CURTIS WILGUS. (Washington, D. C.: The George Washington University Press, 1937. Pp. viii, 502.)

What is a dictator? In the present state of world affairs no doubt most of the people in this country will picture a dictator as much like Mussolini, Hitler, or Stalin. In reading this volume, however, they will find that few of the dictators described run true to form. Undoubtedly, Rosas, Dr. Francia, and Carlos Solano López were true dictators, and Gabriel García Moreno might be added to this list, although he is mentioned only incidentally in this book. True, there are various shades and categories of dictators, but how can San Martín, Rivadavia, Manuel Montt, Balmaceda, and Dom Pedro II be described as dictators unless that word is defined as meaning merely any strong executive? Under this definition, in our own history, Andrew Jackson, Abraham Lincoln, Grover Cleveland, the two Roosevelts, and even George Washington might be classed as dictators.

While the reviewer disagrees with the editor and the writers of this book in their stretching of the definition of dictator and in their stressing dictatorships as the normal political situation of the South American countries, he is compelled to admit that they have (especially in the three introductory chapters) made out a strong case for their point of view. The reader, however, should keep in mind the

difference between the European dictators of today and those described in this book as ruling the first century of South American independence, and make allowances for differences in viewpoint.

In the initial chapter of the introduction, Dr. Wilgus sets forth his ideas of "The Hispanic American Dictators", and in the two following chapters entitled "Monarchy or Republic" and "The Anguish of Bolívar", Professor Rippey does likewise. To these ideas the authors of the subsequent chapters strive, not always convincingly, to conform. It is with this keynote that the reviewer is in fundamental disagreement.

As a collection of biographical sketches of men who exercised important influence on the history and development of their respective South American countries, this book is significant and will make a place for itself on the shelves of those interested in Hispanic American history. However, younger students should be warned of its bias toward dictatorships.

Lewis W. Bealer describes the lives and accomplishments of Artigas, Francia, Rivadavia, Facundo Quiroga, Rosas, Fructuoso Rivera, Urquiza, the two López's of Paraguay, Portales, Manuel Montt, and Balmaceda, incidentally giving a great deal of the early history of Argentina, Uruguay, Paraguay, and Chile. Especially good are the chapters on Artigas and Francia. Tracing clearly the importance of the former in sponsoring federation in La Plata, the author paints the characters of both men with firm and vigorous strokes.

San Martín, Bolívar, Mariano Melgarejo, and Juan José Flores are each given a chapter by N. Andrew N. Cleven; but Gamarra, Obregoso, Salaverry, and Santa Cruz are crowded into a single chapter by this same author. So many names are mentioned and so many facts are crammed into this chapter that the reader is confused by the mass of details and is left uncertain as to which of these men in addition to Santa Cruz was really a dictator.

Colombia and Venezuela are dealt with by J. Fred Rippey who selects Mosquera, Nuñez, and Rafael Reyes as the three dictators of the former country especially worthy of consideration, and in the latter country concentrates on Páez, Guzmán Blanco, Castro, and Juan Vicente Gómez for detailed description. Opening with highly interesting and enlightening discussions of the reasons for the prevalence of dictatorships in these countries, both chapters are valuable in helping to elucidate our definition of a dictator.

Although Alan K. Manchester in his chapter on "Constitutional Dictatorships in Brazil" begins well by giving a strict definition of a dictator, he subsequently modifies his definition in order to include the two emperors of Brazil. In his narrative, however, he shows that the dictatorship (?) of the two Dom Pedros was not so much their own fault as that of the conditions in Brazil which rendered a strong head of the state possible and necessary. Furthermore, even after the establishment of the republic, the head of the state was compelled by the social and political development of the country to exercise his authority with dictatorial powers provided by the constitution as "the logical form of government for the nation". Unusually good are the descriptions of mid-century social conditions in Brazil.

An Appendix by Almon R. Wright shows how Rosas utilized the Church in the enforcement of dictatorship. Here are introduced amusing incidents and many little known facts bearing on the subject.

Like the preceding four volumes of *Studies in Hispanic American Affairs*, edited by Professor Wilgus, this fifth volume shows the result of careful and wise editing. As does all of his work it evidences meticulous accuracy. The numerous footnotes are in proper form and furnish valuable bibliographical help. The exhaustive twelve-page index is by Raul d'Eça.

ALFRED HASBROUCK.

Washington, Connecticut.

The Franciscan Conquest of Florida (1573-1618). By REV. MAYNARD GEIGER, O. F. M. [The Catholic University of American Studies in Hispanic-American History, Vol. I.] (Washington: The Catholic University of America, 1937. Pp. xiii, 319.)

The author has set a high standard in this volume. Beneath the surface throughout the book there can be observed an adherence to the soundest principles of documentation. Besides, no American investigator on this subject has had so much of the material available in America so completely at hand. One of the author's own contributions, an edition of Jerónimo Oré's *Relación de los mártires que ha habido en las Provincias de la Florida*, has been used for the first time in the history of American scholarship for everything that it will yield. Others have had to consult it through inaccurate and unsatisfactory catalogues or by means of ill-trained copyists. The *Relación*, especially after Geiger's careful editing, lends the story of the missionization of Florida a certain coherency which was not

possible, and for that matter not so desirable, in works like that valuable one of Dr. Swanton on the Creek Indians and their neighbors.

The position and training of Dr. Geiger constitute a distinct advantage which he has fully exploited. Thus we have a much needed chapter—the first one—on background and terminology. No one except a member of one of the religious orders could clarify the background so well without calling upon the religious for technical aid. The product likewise reflects the commendable standards of the seminar of Dr. Francis Borgia Steck at the Catholic University of America.

In view of the fact that the bibliography includes one or two authorities whose works have seemed to cover the same ground, it might be possible to ask if this book is necessary. The only previous work to cover this ground from the strict point of view of missions was general in scope and confined to Georgia in so far as such confinement would not impair the unfolding of the story. Geiger did not begin with the intention of covering the entire colonial period and what he has added in the shorter period from 1573 to 1618 has amply justified the book. The necessity for making apparent the scrutiny of all useful documents and authorities and the subsequent liberal quotations, however, had the effect of destroying the illusion of living through the times and depriving the work of a certain raciness of which the author, no doubt, is quite capable.

The lists of manuscript reproductions and transcripts used in this study, including the valuable Stetson Collection of the Florida State Historical Society, and the Georgia Collection brought to this country through the generosity of the University of Georgia, are more formidable than one usually encounters in a Ph.D. thesis, even on a subject as remote as this. And although this is not an implication that the use of more transcripts was necessary in this study, there is perhaps no better place than this to suggest to someone whose interest in Florida is still at white heat that there ought to be a stock-taking of Spanish-Florida papers. Nowadays, reproduction has become so easy that perhaps several institutions and individuals could afford unwittingly to bring to America papers already available here. But that certainly was not true when copies in question were made. For the sake of convenience and efficiency in this work, there ought to be a check-list of the Lowery Manuscripts (and notes), the Stetson Collection, the Georgia papers, and the collection of the North Carolina Historical and Literary Society in Raleigh. Investigators working

independently on small topics in Raleigh have frequently emerged with single documents of great import on the very subject in question like that of Bishop Gabriel Díaz Vara Calderón which Miss Lucy L. Wenhold of Salem College published as Vol. 95, No. 16, *Smithsonian Miscellaneous Collections*. Such a list should carry the title, date and archival citation of the document and include abbreviated indications of the whereabouts of duplicates. Thereafter, an investigation should be conducted among other obvious public and private collections with a view to their inclusion. Likewise, it is necessary to check in Havana and Santiago de Cuba, in places which would readily suggest themselves to the Church historians who have intimated to other investigators that these niches might offer prizes. A final requirement would be to collate these copies with the Florida papers, especially in the section of the Audiencia of Santo Domingo, in the Archivo General de Indias. Certainly each one of the transcript collections has papers which no other one has. It is more than likely in view of this lack of system that many documents useful for general purposes have been neglected by every one of the investigators approaching the archives with the boundaries of a particular state in mind. For a long time this problem was no less perplexing in the history of the English mainland colonies than in that of Spanish Florida.

Although himself a Franciscan, the Rev. Dr. Geiger has made his point of view broadly social and not strictly ecclesiastical. The appraisals of the economic and social view of the friars, and the care shown not to slight the important tools and products which are being forged by the anthropologist, indicate his breadth of view. Wherever the anthropologists have made general studies and especially where they have made particular ones, they are indispensable to a story of missionization as now required both by lay and religious specialists. The functioning of the mission as an institution could not be made clearer.

JOHN TATE LANNING.

Duke University.

Francisco de Toledo. The Fifth Viceroy of Peru, 1569-1581. By ARTHUR FRANKLIN ZIMMERMAN. (Caldwell, Idaho: The Caxton Printers, 1939. Pp. 307. \$2.00.)

For a long time there has been a striking possibility for useful work in a biography of Francisco de Toledo. In 1935, Roberto Levillier entered the gap with his *Don Francisco de Toledo; supremo*

Organizador del Perú; su Vida, su Obra (1515-1582). Now appears this work in English. No effort is made in the latter to explain why it was necessary after the former production except to say that it is "the first work in English which has extensively used the unpublished documents" in the Archives of the Indies. One occasionally gathers by implication that the author did his own investigating in Seville, but the acknowledgements seem to indicate that he depended upon Miss Irene A. Wright and the archival staff. Although it is safe to assume that no one can do historical research properly for another man, it is the better part of wisdom to depend upon well-trained people to search if an initial two-year period of orientation is not possible.

Here and there throughout the work under consideration, the author indicated the primary importance of the general visitation of Toledo (for, indeed, his career was more like that of José de Gálvez than like that of the average viceroy) in laying the foundations of Spanish colonial policy. He, therefore, obviously thought of the work of Toledo in the light of social experiment. Nothing would be more likely, consequently, than a strong connection between the school of Francisco de Vitoria and Toledo's reorganization. Levillier deals with this ideological movement springing from Father Vitoria's chair at Salamanca which certainly had as much solid influence as the lampoons of Las Casas.

Probably the chief significance of Toledo lay in his readjustment of the Indians and Indian labor to the Spanish overlords about them. Such a rôle would point to an evaluation of the contributions of Peru to the *encomienda* and *mita*. Primary emphasis was not placed upon the connection, for if such had been the case, certainly Dr. Zimmerman would have used Lesley B. Simpson's *The Encomienda in New Spain* and Závala's *Encomienda Indiana* in which Simpson's work is enlarged to include Peru at the very time in question.

Perhaps any critic will have special points upon which he might wish that an author had dwelt. And authors cannot anticipate special interests. Nevertheless, it is to be regretted that Dr. Zimmerman does not find time to give a more extended analysis of such cultural institutions as the University of San Marcos and the *Protomedicato*. Although he gives an outline of facts relating to Toledo's support of the University, he has not used the information available on the subject in the *Mercurio Peruano* and in the *Anales Universitarios*. The *Protomedicato* was a far more significant and general in-

stitution than one might possibly gather from this account. There is also ground for a good critical essay on the alleged anti-clericalism of Toledo.

It might not be generous to point to minor faults which few of us can escape. There are references to the "Spanish Monarchs" (Catholic Kings) at a time (1512) when Isabella was already dead (p. 39). The *oficiales reales*, celebrated custodians of the *Real Hacienda*, are carried along with some consequent confusion as "royal officials", but in the latter portion of the book clarity is added by the translation of "royal exchequer officials". Sir Author Helps will certainly be questioned as an authority on the career and writings of Las Casas. It would be better, where there are sets of figures in juxtaposition, to cling exclusively to ducats or maravedís. Otherwise, a reader is constantly diverted to the scratch pad. And could it be there was any basis for the frequent Indian litigation except that the natives were "enamored of lawsuits . . ."?

Dr. Zimmerman must be given credit for a work of neat documentation and the publishers for really first-class printing. On this matter there is no room for doubt except, possibly, in the case of the ornate titles and newspaper-like index. Likewise it must be recognized that Dr. Zimmerman goes through the instructions, *pareceres*, *memorias*, and other reports with a fine-toothed comb. Anyone with experience in such documents will know how hard it is to avoid repetitious use of the passive voice. On the whole the book embraces a rather complete chronological statement of Toledo's Peruvian career. The English is not trying as is sometimes the case with theses. As a thesis, this is a work which no member of a doctoral committee would hesitate to sign.

JOHN TATE LANNING.

Duke University.

The History of (Lower) California. By FRANCISCO JAVIER CLAVIGERO, S. J. Translated from the Italian and edited by SARA E. LAKE and A. A. GRAY. (Stanford University, California: Stanford University Press, 1938. Pp. xxvii, 413. \$4.00.)

Among the many notable Jesuits who labored for the cause of the Church in America, there was one of broad and deep knowledge, a student of philosophy, history, and literature, and an able writer. Born and educated in Mexico, he had to go to Italy when the Company of Jesus was suppressed and its members exiled from the Spanish

possessions in America. To continue the literary and historical pursuits started in his early life, Father Francisco Javier Clavigero settled in Cesena, Italy, where he could consult many of his learned brethren, the numberless manuscript sources they had brought with them, as well as the libraries in the nearby cities.

The History of (Lower) California was not Clavigero's only effort. Many other of his works in Spanish and Latin reached several editions and were translated into various languages. For his accuracy and good judgment, they are still being consulted by scholars. However, this *History* had only one Spanish translation before the present one into English. Herein, therefore, lies the justification for the labor of the translators and its issuance by an American university press. Written originally in Spanish, to be published the work had to be translated into the official Italian (Tuscan) in which it was issued posthumously in Venice in 1789, two years after the author's death. It is from this edition that the present translation was made.

The *History* consists of four books. The first is a natural history of the Peninsula with a description of the character, life, religion, and customs of the aborigines before their conversion to Christianity. In Book Two are discussed the attempts of Cortés and many others who discovered and conquered the land; the interest of the Spanish monarchs in the region; and the coming of the Jesuits as well as their trials and tribulations in establishing the first missions. Book Three continues the development of the missions with accounts of the work of several now famous missionaries: Fathers Salvatierra, Piccolo, Ugarte, and others. The revolt of Pericues is also told. The last Book brings up the story to the end of the period with the expulsion of the Jesuits.

Long before our present State of California was settled, there had been important missions in the peninsula now known as Lower California. From there came food, Church furniture, tools, seed, livestock, and other essentials without which the new settlement could not have been a success. So important were this support and aid that the translators rightly say that Lower California is the mother of the State of California.

The translators have accomplished their task well. Their footnotes are of the greatest importance in clarifying many an obscure passage as well as in straightening out many others through the interpretations now made possible as a result of the light thrown by the most recent scholarly research on the subject. Likewise, the pub-

lishers have contributed their experience and ability to the excellent presentation of this volume.

R. O. RIVERA.

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The Southwest in International Affairs. By S. D. MYRES, JR. (ed.). [Proceedings of the Third Annual Conference Institute of Public Affairs. Auspices Carnegie Endowment for International Peace.] (Dallas, Texas: Published for the Institute by the Arnold Foundation, Southern Methodist University, 1936. Pp. xvi, 219.)

Regional institutes, enrolling a select group, perform a limited if eminently worthwhile service. Publication of the papers presented at such institutes widens the audience and makes their influence effective in a lasting way and increases their public contribution to education. The publication of the Third Annual Conference of the Institute of Public Affairs held at Dallas, Texas, in 1936, is a good illustration of this point. The second section of this volume is devoted to "Our Relations with Latin America" and contains penetrating papers by recognized authorities in the field, Professors C. W. Hackett, J. Lloyd Mechem, George P. Hammond, and A. B. Thomas, while a fifth discussion by Lawrence Duggan on "Our Good Neighbor Policy" is a pleasant journalistic summary of current events. Professor Hackett's able and documented summary of "Recent Trends in Latin-American Relations" is a clear analysis of the "New Deal" in our relations with the nations south of the United States. Professor Mechem presents a useful survey of recent policy with respect to "Intervention in Latin-America" in which he makes it quite evident that, despite popular belief and the Montevideo "Convention on Rights and Duties of States" to the contrary, the United States has not completely disavowed the right of intervention (p. 87). Professor Hammond examines "Latin-American Attitudes toward the United States" in a historical sketch of shifting opinion in Hispanic America concerning the powerful northern neighbor. Professor Thomas subjects the recent applications of the Monroe Doctrine to searching scrutiny in an article entitled "New Aspects of the Monroe Doctrine". The interpretation of recent events presented in these articles will be useful to the busy specialist as well as to the general public.

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International Institutions and World Peace. By S. D. MYRES, JR. (ed.). [Proceedings of the Fourth Annual Conference Institute of Public Affairs. Auspices Carnegie Endowment for International Peace.] ([Dallas, Texas]: Published for the Institute by the Arnold Foundation Southern Methodist University, 1937. Pp. xvi, 290.)

The Fourth Annual Conference of the Institute of Public Affairs held at Dallas, Texas, gave some time to a series of lectures on "The American Peace System" the texts of which are made available in this volume. Introduced by a general statement concerning the virtues of our "New Pan American Policy" by Francis B. Sayre, Assistant Secretary of State, five papers discuss the allied topics of "Historical Bases of Pan Americanism, 1810-1933" by C. W. Hackett, "Economic and Cultural Aspects of Pan Americanism" by George Wythe, "Basic Factors in Inter-American Peace" by A. B. Thomas, "Is There an American International Law?" by J. P. Bullington, and "The Inter-American Peace Machinery" by J. Lloyd Mechem. Each essay in addition to providing a convenient general summary of subjects whose literature is extensive and difficult to master, offers authoritative interpretations of the more elusive recent trends.

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El Tesoro del Dabaibe. By OCTAVIO MENDEZ PEREIRA. (Panama: Talleres Gráficos Benedetti, 1934. Pp. vii, 317.)

The enigmatic title of *El Tesoro del Dabaibe* masks an excellent biography of Balboa in the modern temper, by the rector of the Instituto Nacional de Panamá. Dr. Méndez Pereira informs us in the author's preface that this work was originally projected as a collaboration with Blasco Ibáñez; and it is dedicated to the memory of the Spanish novelist and conceived in the style of his *Caballero del Virgen*. As an evocation of the unique figure of Vasco Núñez de Balboa, it fills a vacant niche in Hispanic American historical literature, not for any lack of works dealing with the discoverer of the Pacific, but because the mighty epic of the founding of Darien and the penetration of the isthmus has not hitherto been related in a form vibrant, distinctive, and worthy to be classified among the great biographies of the conquistadors.

The book before us is a biographical reconstruction of the colonization of Panama, centering round the personality of Balboa. It is of the contemporary historico-literary *genre*, combining a story colorful as a novel with a veracity which is history. The prologue assures us that "there is nothing in this narrative which is not strictly historical"; and the fact is that any fabrication of Balboa's deeds and prowess would have been less spectacular than the exact truth.

Dr. Méndez symbolizes an epoch in one man. He combines a keen vision and appreciation with an excellent critical faculty. Historians will regret documental deficiencies in his work and inadequate source references. The work has not the annotations and references which would facilitate erudite research. It is, indeed, not erudite; but it is faithful to the fact, and harmonious and serene in judging deeds and reckoning the consequences. Naturally, it is wholly free of pedantry. Its reading can be recommended as a delightful initiation into the study and comprehension of the heroism of the conquest, the vicissitudes of colonization, and the tireless energy of the colonizers.

Balboa's tragic career in America began in a barrel and ended on a scaffold. Dr. Méndez's novelized biography opens with a portrait of *El Caballero del Barril*; the year 1510; the stage the port of Santo Domingo in Hispaniola. Núñez de Balboa the stowaway, having won over the crew and bent Enciso to his will, had made himself the real leader of the expedition to the continent. In spite of combats, suffering, and demoralization he saved the remnants of his company, led it to the isthmus, and established there that village of Santa María la Antigua destined to be the future site of Panama. In the tense and packed narrative of Balboa's dealings with the Indian, Careta, and with the diversity of tribes inhabiting the isthmian territory, it is at times difficult to decide which of three vivid personages is the true protagonist. They are as different as possible one from another: Balboa; the dog Leoncico who hunted Indians, captured slaves, fought like a warrior and by general consent was given his portion of booty; and Anayansi, Balboa's mistress, civilized by him, bond and pledge between European and aborigine. Our author depicts the three brilliantly, in relief, with intensity and precision.

Ambition, avarice, envy—the three capital sins of colonial administrators—were never more perfectly blended than in Pedro Arias Dávila, known as Pedrarias. A long chronicle of petty machinations and underhand plotting culminates in the governor's triumph and Balboa's death-sentence. The discoverer of the Pacific, the first

dreamer to envisage the riches of Peru, died on the scaffold, victim of the administrative schemes of a vulgar and despicable governor.

Why does Dr. Méndez call his book *The Treasure of Dabaibe*?

Dabaibe was the mother of the god who had created the sun, moon, and all the elements. She had a temple of massive gold dedicated to human sacrifices in her honor. According to the legend, suggestive and illusory as that of El Dorado, it was situated on the shores of the Darien or Atrato River, about forty leagues distant from Antigua.

It was the treasure of Dabaibe that Balboa steeled himself to attain; Dabaibe that lured him on. The treasure proved to be an ocean, whose conquest was for others, among them one who had contemplated without compassion Balboa's execution, Francisco Pizarro.

Panamanian literature has given us in this volume a beautiful work. If its hues seem too violent, its personages too valiant or too base, such was the conquest. The epoch of Balboa is splendidly engraved on the pages of *El Tesoro de Dabaibe*.

RICHARD PATTEE.

Washington.

El Paisaje y el Alma Argentina. By CARLOS IBARGUREN, ANTONIO AITA, PEDRO JUAN VIGNALE (eds.). (Buenos Aires: Gerónimo J. Pesce y Cía., 1938. Pp. 392.)

This is one of the best books which have come to us from Hispanic America. While primarily of value to the student of *belles lettres*, it would also be extraordinarily useful to any historian who wishes to sense that intangible spirit behind the succession of events it is his rôle to relate.

A project of the National Commission of Intellectual Cooperation, this anthology is a portrayal of the Argentine landscape and a reflection of the Argentine spirit, as found in the best Argentine prose literature. It contains descriptions, tales, and legends of the land, a portrayal of rural types, notes of regional local color.

Believing that great cities are generally cosmopolitan and resemble each other in their forms of life and in their problems, the editors feel that the essence of agricultural and pastoral nations may be realized only by a portrayal of rural society. Hence they have consciously, and perhaps unfortunately, limited their selections to that rural life.

The anthology is divided into three parts. The first comprises portrayals of the nineteenth century and of its primitive struggle between civilization and barbarism. Five selections are included: Domingo Faustino Sarmiento's "Descripción de la República Argentina a mediados del siglo XIX"; Lucio V. Mansilla's "Historia de Miguelito"; Estanislao S. Zaballos's "La travesía"; Lucio V. López's "El salto de Ascochinga"; and Enrique G. Hudson's "El ombú".

Part II contains "types, stories, and legends" written during the twentieth century, but still referring, for the most part, to the life of the preceding century. Here the emphasis is on Argentina's gaucho. The fifteen selections included are: "El gaucho" (Carlos Octavo Bunge); "El payador. La poesía gaucha" (Leopoldo Lugones); "Calandria" (Pablo Groussac); "Macachines" (Fray Mocho); "El forastero" (Martiniano Leguizamón); "Los mensú" (Horacio Quiroga); "El boyero" (Alberto Gerchunoff); "El kakuy" (Ricardo Rojas); "El diable en Pago Chico" (Roberto J. Payró); "Al rescoldo" and "El pozo" (Ricardo Güiraldes); "Travesiando" (Benito Lynch); "Una gama" (Justo P. Sáenz, hijo); "El viento blanco" (Juan Carlos Dávalos); and "El cambarangá" (Mateo Booz).

Part III is entitled "Notas de ambiente provinciano." Here the major emphasis is upon descriptive rather than upon narrative material. It should be read by those interested in the history of rural Argentina—a history which, incidentally, still remains to be written. The selections included are: "En Salta" (Carlos Ibarguren); "Córdoba: la ciudad de las colinas" (Juan B. Terán); "En Santiago del Estero" (Arturo Capdevila); "El niño alcalde" (Joaquín V. González); "El gallo de Doña Paula" (Juan Pablo Echagüe); "El algarrobo" (Carlos B. Quiroga); "Los caminos de la muerte" (Manuel Gálvez); and "La yegua mora" (Hugo Wast).

The book ends with six pages of bibliographical information about those writers whose work has been included in the collection.

One of the best and most useful of anthologies, this portrait of Argentina is a book which definitely should be included in the private library of every student of Hispanic American literature and of everyone interested in Argentine history. And it should be translated into English as soon as possible.

MADALINE W. NICHOLS.

Cambridge, Massachusetts.

El Puño del Amo. By GERARDO GALLEGOS. (La Habana: 1938. Pp. 247. Un dolar.)

An excellent portrayal of the famous Venezuelan dictator, Juan Vicente Gómez. Written with notable fairness, this account furnishes highly interesting and useful material to the student of Hispanic American history. It describes in detail the character of Gómez, gives intimate pictures of his daily life, and recounts life in Venezuela under his dictatorship with emphasis on the famous "Student Strike". Notably free from the attempts at sensationalism usually found in literature about Gómez, this book gives a soberly "truthful interpretation of the dramatic Venezuelan reality" under its exceptionally efficient tyrant.

"General Juan Vicente Gómez, for nearly thirty years master and lord of the United States of Venezuela, should be known as he naturally and ordinarily was." Such an objective and such a human presentation is the one offered by this book. It is a useful contribution to historical literature.

MADALINE W. NICHOLS.

Cambridge, Massachusetts.

A Reference Guide to the Literature of Travel, including Voyages, geographical Descriptions, Adventures, Shipwrecks and Expeditions. Vol. II, *The New World.* By EDWARD GODFREY COX. (Seattle: The University of Washington Publications in Language and Literature, May, 1938. Pp. VIII, 591. \$4.25.)

No review can possibly do justice to this excellent work, but a brief description will indicate something of the nature and content of the volume.

There are twenty-one chapters with the following titles: 1. Northwest passage; 2. Northeast passage; 3. Arctic regions; 4. North Pacific; 5. North America; 6. West Indies; 7. Mexico; 8. Central America; 9. South America; 10. South Seas; 11. Australia; 12. Directions for travellers; 13. Geography; 14. Navigation (including The Art and Charts and Sailing Directions); 15. Maps and Atlases; 16. Military expeditions; 17. Naval expeditions; 18. Adventures, disasters, shipwrecks; 19. Fictitious voyages and travels; 20. General reference; and 21. Bibliographies. At the end of the volume are Errata and Corrigenda, and an Index of personal names for both volumes I and II.

The items in the work are arranged in each chapter in chronological order, according to the date of publication, from the sixteenth cen-

tury to the present. Under the majority of items are descriptions or critical notes, including the dates of the various editions of each item if reissued. Original spelling of titles are kept. None of the items are numbered and reference in the Index is made to pages.

This collection is not only reasonably complete but despite some inaccuracies it is highly satisfactory. However a few omissions may be noted. Among them are *Le Seigneur de la Popellinière* (1541-1608), *Les trois Mondes* (Paris, 1582); Charles de Brosses (1709-1777), *Histoire des Navigations aux Terres australes* (2 vols. Paris, 1756); Jean-François de La Harpe (1739-1803), *Abrégé de l'Histoire générale des Voyages* (23 vols.) with 9 vols. added by Victor Delpuech de Comeiras (1733-1805), and published at Paris 1780-1801; the Abbé Joseph de Laporte (1713-1779), *Le Voyageur François* (42 vols., Paris, 1767-1795), of which vols. 27 and 28 were compiled by L. A. de B. de Fontenoy (1737-1806) and vols. 29-42 by Louis Domairon (1745-1807); and Albert Montémont (1788-1861), *Bibliothèque universelle des Voyages* (46 vols. and Atlas. Paris, 1833-1837).

But even with such works omitted from this volume the author has compiled an admirable guide to the travel literature relating to the western hemisphere. Indeed, this work may well be considered an important landmark along the somewhat tortuous path of American bibliographical activity.

A. CURTIS WILGUS.

The George Washington University.

NOTES AND COMMENT

EL EMBRUJO DE LAS CHINAMPAS

Chinampas aztecas! . . . Jardines “flotantes” del Xochimilco misterioso y legendario! . . . ¿Quién no ha sentido o no ha querido sentir su encanto brujo y sin igual?

En las obras que tratan de México, así en las serias como en las frívolas, nunca deja el autor de hacer mención especialísima de las chinampas florecidas que se “deslizan” suavemente por las “azules” aguas adormecidas de los famosos lagos mexicanos. . . . Tampoco los viajeros que visitan la Capital dejan de darse un paseo por el vecino pueblecillo de Xochimilco, la “Venecia de América”, donde se hacen la ilusión de vivir algunas horas en el “verdadero” país de los antiguos aztecas. . . . En realidad Xochimilco es una especie de vasto cenagal cruzado de canales y ceñido de huertas y de jardines. Todo allí es exótico: el agua estancada de los canales, negra y lisa como el aceite, se abisma en su silencio eternal bajo una atmósfera llena de perfumes de rosas y claveles, de gardenias y violetas, o se adorna de extrañas plantas acuáticas de flores azules, que flotan por aquí y por allá, a la sombra de enormes margaritas, de cañas y de juncos que crecen con abundancia en sus orillas. En las chinampas trabajan afanosos los indígenas, morenos y herméticos, o pasan lentamente en sus “góndolas” cargadas hasta la línea de la superficie del agua, o se deslizan rápidamente en sus canoas angostísimas, manteniéndose en precario equilibrio, y sin dignarse echarle siquiera una mirada furtiva al visitante. . . . En estos tiempos, cuando los turistas llegan a Xochimilco, las “góndolas” van decoradas *ad hoc*, llevando lindas señoritas mexicanas y “orquestas típicas” que echan al aire las canciones nacionales, quejumbrosas y acariciadoras. . . . Los turistas se entregan entonces al ensueño. . . . Xochimilco es misterioso y romántico! Y si algún viajero observador anota que las chinampas no se resbalan sobre las aguas, los guías le dirán que “antes eran” verdaderos “jardines flotantes” que iban a todas partes, según la voluntad de sus dueños, y que, por lo mismo, eran los bellos “trailers” de una raza de poetas, sólo que ay! los árboles en ellas sembrados

hace siglos alargaron tanto sus raíces que ahora las chinampas viven fijas, atadas al fondo encantado del antiguo Lago de Chalco! . . .

Y sin quererlo, el observador se acuerda entonces del Conquistador Cortés y de la chusma de bandidos audaces y valientes que por allí pasaron hace ya más de cuatrocientos años, o se acuerda de los buenos frailes, de las Casas, Montolinía, Gómara y Sahagún, para decirse: ellos sí verían las chinampas deslizarse sobre las aguas quietas o balancearse rítmicamente cuando las agitaba el viento! . . . Pero no. . . . Ni los conquistadores ni los misioneros de entonces notaron el movimiento de las chinampas, los jardines flotantes del antiguo lago de Chalco! . . . ¿O sería que ellos no tenían ojos para sorprender la extraña belleza y la dulce poesía de los jardines anfibios?

Y es que, por mucho que nos sorprenda, el hecho es conocido: el buen Abad Clavigero, por allá an 1780, fué quien por primera vez le contó a la posteridad crédula y romántica el delicioso idilio de las chinampas flotantes. El cuento del meritísimo abad es interesante y expícito.¹

¹ “Sopraffatti poi da’ Colhui, e da’ Tepanechi, e ridotti alle misere isolette del lago, cessarono per alcuni anni di coltivar la terra, perchè non l’aveano, finchè ammaestrati dalla necessità, e dalla industria formarono campi ed orti mobili, e galleggianti sulle stesse acque del lago. Il modo, ch’ebbero allora di farli, e che finora osservano, e assai semplice. Fanno una intrecciatura di vinchi, o di radici, d’alcune piante palustri, o d’altra materia leve, ma capace peraltro di sostenere unita la terra dell’orto. Sopra un tal fondamento mettono cespuglj leggieri di quegli stessi, che galleggiano nel lago, e sopra tutto il fango, che traggon dal fondo del medesimo lago. La lor figura regolare e quadrilunga: la lunghezza, e la larghezza son varie; ma per lo più hanno, secondo che me pare, otto pertiche in circa di lunghezza, non più di tre di larghezza, e meno d’un piede d’elevazione sulla superficie dell’ acqua. Questi furono i primi campi, che ebbero i Messicani dopo la fondazione di Messico, ne’ quali coltivavano el frumentone, el peverone, ed altre piante necessarie al loro sostentamento. Nel tempo appresso essendose eccessivamente moltiplicati coll’industria di quel Popolo, vi furono ancora giardini di fiori, e d’erbe odorifere, che s’empiegavano per culto degli Dii, e per le delizie de’ Signori. Presentemente vi si coltivano fiori, ed ogni sorta d’ortaggio. Tutti i dì dell’anno sullo spuntar della luce si vedono arrivar pel canale alla gran piazza di quella Capitale innumerabili barche cariche di molte spezie di fiori, e d’erbe in quegli orti coltivate. Tutte vi vengono a maraviglia; per chè il fango del lago e fertilissimo, oltrechè non ha bisogno del acqua del Cielo. Negli orti più grandi, suol esservi qualche arbuscello, ed anche una capanna per ricoverarvisi il coltivatore, e difendersi dalla pioggia, e dal Sole. Dove il padrone di qualche orto, o, come volgarmente el chiamano, *Chinampa*, vuol passare ad un altro sito, o per allontanarsi da un pernicioso vicino, o per avvicinarsi più alla sua famiglia, si mette nella sua barca, e da se solo, se l’orto è piccolo, o ajutato da altri, se è grande, lo tira a rimorchio, e lo

Unos veinte años después de publicado este relato, visitó el Valle de México el célebre y científico viajero alemán, el Barón de Humboldt, quien repitió las palabras de Clavigero, y en su categoría de erudito, trató de justificarlas. Sin embargo, a leer sus obras, se nota que Humboldt no *vió* en persona las embrujadas chinampas, sino que se atuvo candorosamente a lo que había leído u oído acerca de ellas.²

conduce ove vuole, insieme colla capanna, e cogli arbuscelli. Quella parte del lago, dove sono questi orti, e giardini, e un luogo di diporto sommamente delizioso, dove pigliano i sensi il più dolce piacer del mondo." Clavigero, *Storia di Messico*, VII, 152-153.

² "L'invention ingénieuse des chinampas paroît remonter à la fin du quatorzième siècle. Elle tient à la situation extraordinaire d'un peuple qui, entouré d'ennemis, forcé de vivre au milieu d'un lac peu poissonneux, raffinoit sur les moyens de pourvoir à sa subsistance. Il est probable que la nature même a suggéré aux Aztèques la première idée des jardins flottans. Sur les rivages marécageux des lacs de Xochimilco et de Chalco, l'eau agitée dans la saison des grandes crues, enlève des mottes de terre couvertes d'herbes, et entrelacées de racines. Ces mottes, vogant longtems cà et là au gré des vents, se réunissent quelquefois en petits îlots. Une tribu d'hommes trop foibles pour se maintenir sur le continent, crut devoir profiter de ces portions de terrain que le hasard leur offroit, et dont aucun ennemi ne leur disputoit la propriété. Les plus anciens chinampas n'étoient que des mottes de gazon réunies artificiellement, piochées et ensemencées par les Aztèques. Ces îles flottantes se forment sous toutes les zones: j'en ai vu dans le royaume de Quito, dans la rivière de Guayaquil, ayant 8 à 9 mètres de long, nageant au milieu du courant, et portant de jeunes tiges de bambusa, de pistia stratiotes, de pontederia, et une foule d'autres végétaux dont les racines s'entrelacent facilement. J'en ai trouvé aussi en Italie, dans le petit *lago di acqua solfa* de Tivoli, près des thermes d'Agrippa; petites îles qui sont formées de soufre, de carbonate de chaux et des feuilles de l'*ulva thermalis*, et qui changent de place au moindre soufle de vent.

"De simples mottes de terre enlevées au rivage ont donné lieu à l'invention des chinampas; mais l'industrie de la nation aztèque a peu à peu perfectionné ce système de culture. Les jardins flottans, que les Espagnoles trouvèrent très-multipliés, et dont plusieurs existent encore dans le lac de Chalco, étoient des radeaux formés de roseaux (totora), de joncs, de racines, et de branches de broussailles. Les Indiens couvrent des matières légères et enlacées les unes dans les autres, de terreau noir, qui es naturellement imprégné de muriate de soude. On enlève peu à peu ce sel en arrosant le sol avec l'eau du lac; le terrain devient d'autant plus fertile que l'on répète plus souvent cette lixiviation. Ce procédé réussit même avec l'eau salée du lac de Texcuco, parce que, très-éloignée du point de sa saturation, cette eau est encore propre à dissoudre du sel, à mesure qu'elle filtre à travers le terreau. Les chinampas renferment quelquefois jusqu'à la cabane de l'Indien qui sert de garde pour un groupe de jardins flottans. On les toue ou on les pousse avec de longues perches pour les transporter à volonté d'un rivage à l'autre.

"A mesure que le lac d'eau douce s'est éloigné du lac salé, les chinampas

En el año 1822, siguió a Humboldt el viajero norteamericano Mr. Joel R. Poinsett, quien llevó siempre consigo su cuaderno de apuntes donde anotaba sus diarias observaciones. No obstante, parece que el cuidadoso viajero se apoyó en Clavigero y en Humboldt en lo relacionado con las chinampas.³

En el año 1843 repite el historiador Prescott lo que ya habían dicho el gárrulo Clavigero y el famoso científico Humboldt, si bien aquél hermosea el cuento un tantito con su language exquisito y el lujo de su imaginación. En su *Conquest of Mexico*, II, p. 68, dice Prescott:

And here, also, they beheld those fairy islands of flowers, overshadowed occasionally by trees of considerable size, rising and falling with the gentle undulation of billows.⁴

mobiles se sont fixés. On en voit de cette dernière classe tout le long du canal de la Viga, dans le terrain marécageux contenu entre le lac de Chalco et le lac de Texcoco. Chaque chinampa forme un parallélogramme de 100 mètres de long, et de 5 à 6 mètres de large. Des fossés étroits et communicant symétriquement entr'eux, separent ces carrés. Le terreau propre à la culture, désalé par de fréquentes irrigations, s'élève de près d'un mètre au-dessus de la surface d'eau environnante. C'est sur ces chinampas que se cultivent les fèves, les petits pois, le piment (chile, capsicum), les pommes de terre, les artichaux, les choux-fleurs, et une grande variété d'autres légumes. Les bords de ces carrés sont généralement garnis de fleurs, quelquefois même d'une haie de rosiers. La promenade que l'on fait en bateaux autour des chinampas d'Istacalco, est une des plus agréables dont on puisse jouir dans les environs de Mexico. La végétation est très-vigoureuse sur un sol constamment arrosé." Humboldt, *Essai politique*, III, cap. 8.

³ "A great part of the low land, that intervenes between the lake of Texcoco and that of Chalco, is laid out in these gardens, and cultivated by the Indians.

"I had not leisure to visit the lake of Chalco, but was informed, that floating gardens, such as are described by Baron Humboldt, are still to be seen there. They existed before the conquest, and were made originally by roots and reeds, twigs of brushwood and rushes floating together, and forming rafts, on which the Indians threw earth and weeds raked from the bottom of the lake. These floating chinampas are moved about by means of long poles. It is not surprising that the Mexicans, who were surrounded by hostile tribes, should have constructed the artificial floating gardens described by Clavigero. They were rendered necessary, too, from the frequency of inundations, to which the city, and nearly the whole valley were subject, before the conquest and previous to the construction of the canal of Huehuetoca. They are no longer in use. The fixed chinampas, which we saw, were bordered with flowers, and were in a high state of cultivation." Poinsett, *Notes on Mexico* (London, 1825), p. 107.

⁴ Compárese también: "The *chinampas*, that archipelago of wandering islands, to which our attention was drawn in the last chapter, have, also, nearly dis-

Que existe la leyenda de las chinampas flotantes aun en nuestros días, quizás por pertenecer ya a la poesía inmortal, lo demuestran Terry, Wells y todas las agencias del turismo contemporáneo. En Terry's *Guide to Mexico* (New York, 1923), p. 147 hallamos lo siguiente:

The prolific vegetation invaded the waters of the lakes and produced the beautiful *Chinampas* or floating gardens of the Aztecs. Owing to the lowering of the adjacent lakes subsequent to the draining of the valley, many of these floating islands have now joined the continent. In a few years they will perhaps all have disappeared.⁵

Por demás está decir que Mr. Terry no instruye a los turistas acerca del sitio donde todavía se hallan las chinampas flotantes!

En cuanto a Mr. Carveth Wells, el célebre viajero inglés contemporáneo, podemos decir que en lo que toca a las chinampas no lo salva ni siquiera su incorregible buen humor, pues con mucha seriedad nos cuenta la misma fábula.⁶

appeared. These had their origin in the detached masses of earth, which, loosened from the shores, were still held together by the fibrous roots with which they were penetrated. The primitive Aztecs, in their poverty of land, availed themselves of the hint thus afforded by nature. They constructed rafts of reeds, rushes, and other fibrous materials, which, tightly knit together, formed a sufficient basis for the sediment that they drew from the bottom of the lake. Gradually islands were formed, two or three hundred feet in length, and three or four feet in depth, with a rich stimulated soil, on which the economical Indian raised his vegetables and flowers for the markets of Tenochtitlan. Some of these *chinampas* were firm enough to allow the growth of small trees, and to sustain a hut for the residence of the person that had charge of it, who with a long pole, resting on the sides or the bottom of the shallow basin, could change the position of his little territory at pleasure which with its rich freight of vegetable stores was seen moving like some enchanted island over the water." Prescott, *Conquest of Mexico*, II, 103.

⁵ Compárese también: "The Chinampas or Floating-Gardens . . . originally were made of interlacing twigs made thick enough to form a strong mat, then covered with a thin layer of earth. Being light, they were easily moved across the lake by means of oars. They usually took the form of parallelograms and were sometimes over a hundred feet long. Fragile native huts were erected on them and plants of various kinds made to grow. Eventually, when these gardens took root, as it were, tall eucaliptus, olive and other trees grew from them, so that now the entire region is one of trees, shrubs, creepers and flowers." Terry's *Guide to Mexico* (New York, 1923), p. 350.

⁶ "In the days of Montezuma, Xochimilco was a large lake on which there was a town of floating islands that the Aztecs made by covering rafts with earth. On these rafts the Indians not only planted flowers, vegetables and small trees but also built their huts, so that each floating island became a home which

Pero fué a Herr Eduard Stucken, el conocido autor y arqueólogo alemán, a quien le cupo la suerte de embellecer la leyenda de las chinampas con la mentada y admirable *Sachlichkeit* característica de su romántica raza, pues él la ha exaltado hasta el verdadero cenit de la eficacia poética.⁷

Pero no a todas les ha impresionado tanto la dulce leyenda de las chinampas. Don William Bullock, viajero inglés que visitó la República también en el año 1822, mencionó los "jardines flotantes" con toda la flemma que caracteriza al comerciante inglés. Si había leído a Clavigero y a Humboldt, no les permitió que influyesen en su buen sentido común.⁸

Es interesante la comparación de estos varios cuentos. Según Clavigero flotan todas las chinampas. Veintitrés años después de la

could be towed about by means of a canoe; in fact, they could be described as water trailers. After hundreds of years many of these floating islands have become attached to the bottom of the lake by the roots of trees growing upon them, but they are still separated from one another by canals. The language spoken by the people of Xochimilco is Aztec, so that here is at least one spot where you can see Mexico as it was in the days of Cortes." Wells, *Panamexico* (New York, 1937), p. 260.

⁷ Así nos dice en su *Die weissen Götter* (Berlin, 1922), I, 253: "Die schwimmenden Beete Mexicos waren berühmt. Meist nur wenige Fuss breit und lang, bestanden sie aus Planken, auf die eine Schicht samenträchtiger Fruchterde geschüttet war; überspült von Wellen der Lagune, gehitzt von der Sonne Anahuacs, gekühlt von Bergwinden, keimten, blühten und reiften die sich selbst überlassenen Zierpflanzen und Früchte in überquellender Üppigkeit. An das Schleppseil eines Kahn's befestigt, wurden allmorgendlich Dutzende solcher Beete durch die Kanäle zum grossen Markplatz gefahren. Es gab auch schwimmende Gärten. Aus erdbedeckten Flössen aufspriessend und um ein Vielfaches grösser als die Beete, trugen diese inmitten ihrer luftgeschaukelten Blütenfülle auch Balsamsträucher, kleine Loorbeerbäume, Dachpalmen und standen an Pracht den hängenden Gärten nicht nach."

Y no contento con esto, Stucken más adelante (I, 254) desarrolla la leyenda hasta el punto de lo fantástico: "Und aufrecht stehend ruderten zehn nackte junge Mädchen das schwimmende Eiland in den See hinaus, während der Mond ihre zierlichen Terracotta-Leiber in seine Ätherschleier hüllte."

⁸ "The place was surrounded with chinampas, or what have been improperly called floating gardens. . . . They are artificial gardens, about fifty or sixty yards long, and not more than four or five wide. They are separated by ditches of three or four yards, and are made by taking the soil from the intervening ditch, and throwing it on the chinampa, by which means the ground is raised generally about a yard, and thus forms a small fertile garden, covered with the finest culinary vegetables, fruits and flowers—Mexico receives an ample supply from here." Bullock, *Six Months in Mexico* (London, 1824), p. 179.

publicación de la obra del buen abad, Humboldt no vió sino chinampas fijas, afirmó que las flotantes disminuían rápidamente y relegó las pocas que quedaban al lejano lago de Chalco. Pasados otros veinte años visitaron a México Poinsett y Bullock. Ninguno de los dos vió las chinampas flotantes. El primero se dejó convencer por Clavigero y por Humboldt acerca de su realidad, y el segundo negó que jamás flotase una chinampa. Prescott y Stucken no tienen peso alguno en este asunto, pues ambos interpretan la leyenda poéticamente y dejan que se les embriague el magín. . . . Los dos pretendieron que flotasen todas las chinampas, y el alemán hace que fuesen remolcadas al mercado nada menos que por lindas doncellas indianas, graciosas y un tanto "modernistas", como buenas precursoras del nudismo que desafiaba los rigores del clima, los inconvenientes del tráfico y las miradas de los hombres. . . . En cuanto a los señores Terry y Wells, es de su oficio explotar las maravillas de México que puedan atraer a los románticos turistas, y *caveat emptor!*

Existe cierta discrepancia entre nuestras autoridades en lo que toca a la materia boyante de que se hicieron las chinampas. Clavigero se contenta con mimbres tejidos, raíces y "arbustos que nadan en el lago". El abad considera que esta materia es suficiente para soportar una capa de tierra de un pie de elevación sobre la superficie del agua. Afirma sobriamente el Baron de Humboldt que los céspedes flotan, y no siente embarazo alguno al construir con ellos toda una isla flotante, usando además, para mayor eficacia, materias más boyantes que las que usara el abad, tales como cañas, juncos, raíces y ramas de arbustos. Emplea Poinsett también raíces, cañas, ramitas y juncos. Prescott se figura que bastan cañas, juncos y otras materias fibrosas para hacer sobreaguar un jardín mexicano de hortalizas, y Stucken, sabiendo que no era bastante boyante la materia empleada por sus antecesores, resuelve servirse de *tablones*, sin darse cuenta del anacronismo en que incurre.

Los medios de propulsión de las chinampas difieren un tantito en los cuentos de nuestros ilustres viajeros y relatores. En la obra de Clavigero vemos al indio propietario remolcar tras sí, sin más ni más, su idílica "finca" acuática; en la de Humboldt, la chinampa se emolca o se mueve por medio de perchas; Poinsett prefiere la percha sola. Herr Stucken, quizás por tener más vivo y acalorado el magín, hace que remolquen las chinampas chicas, y a las mayores las hace remar como si fuesen galeras. Terry emplea dos remos y nada más! . . .

La altura del lecho de tierra en las chinampas parece ser poco precisada por nuestros autores. Clavigero se conforma con un pie de tierra sobre la superficie del agua, haciéndonos creer que eso era suficiente para cultivar en ellas no sólo flores sino árboles! . . . Humboldt halló que la tierra de las chinampas fijas tenía una altura de un metro sobre el nivel del lago, y Bullock concuerda con él. Poinsett, Terry y Wells se callan a este respecto. Prescott coloca un lecho de tierra de unos tres o cuatro pies de alto en sus jardines flotantes, y Stucken no se toma la molestia de precisar este detalle interesante.

Varía también el tamaño de las chinampas. Según Clavigero, cada una tenía 180 pies de largo por 132 de ancho; según Humboldt, 325 por 16 o 18; el práctico Bullock anota que son de 150 hasta 180 de largo por 12 de ancho. Los demás se callan y nada nos dicen sobre este otro detalle tan importante.

Pero tenemos que confesarlo: la chinampa azteca ha embrujado a muchos y le abre horizontes ilimitados a la poesía! . . . Un jardín flotante donde cultivar flores y hortalizas, arbustos y árboles, y donde construir una choza, para ir por esos lagos de Dios, deslizándose sobre las aguas, es algo mucho más romántico que el "house boat" y mucho más comodo e idílico que un "trailer" moderno. . . . Y no obstante, hay ciertas leyes naturales y ciertas propiedades físicas de la materia que obran en contra de la posibilidad de la chinampa como hecho positivo y real. Es una lástima que la realidad nos eche a pique su encanto maravilloso, como vamos a ver.

El peso atómico de la tierra excede en mucho al del agua, y el de las cañas verdes y las raíces no es mucho menor. Además, las cañas y demás sustancias vegetales que se han citado como materias boyantes carecen en absoluto del poder de sobreaguar y de sostener cualquier peso de alguna consideración cuando están empapadas de agua. Cualquier balsa de cañas capaz de sostener una capa de tierra de un pie de profundidad debe tener por lo menos un espesor de seis pies, estando recién cortadas las cañas, y antes de ocho días de estar en el agua se hallaría tan empapada que se hundiría por completo. Además, una balsa de tal profundidad jamás habría podido flotar en los lagos mexicanos, pues sólo en el centro del de Texcoco había seis pies de agua, según los datos hidrográficos colegidos por los mensores oficiales, quienes afirman que el fondo de dicho lago está sólo siete pies bajo el nivel de la Plaza de la Constitución. Todo el antiguo lecho del lago se inclina imperceptiblemente hacia la parte donde todavía hay

agua, y, en la región de las chinampas, nunca tuvo considerable profundidad el agua, pues sólo era un vasto pantano o cenegal cuyas aguas se podían vadear fácilmente a pie aun a varios kilómetros de sus orillas. Por lo mismo, en la parte donde las chinampas se han “arraigado”, es decir, donde las vieron fijas Humboldt, Poinsett y Bullock, nunca hubo agua en profundidad suficiente para que en ella pudiese flotar una balsa de cañas.

Tampoco se dió cuenta el inventor de las chinampas flotantes de que un jardín es cosa duradera, y no una balsa construída para divertir a los niños en una tarde de estío. . . . En caso de no hundirse en un día la débil materia que Clavigero se figuraba ser suficiente para sostener una huerta de aztecas, lo cierto es que sí se hundiría con el tiempo, en una semana o en un mes a lo más; de manera, pues, que en un tiempo relativamente corto se sumergiría y se fijaría en el fondo del lago una chinampa cualquiera. Aun las balsas de tablones que se imagina Herr Stucken se empaparían de agua en el curso de pocos meses, como bien hubiera podido convencerse con un momento de reflexión hasta un poeta alemán.

Clavigero, padre inmortal de las chinampas flotantes, nos brinda a la curiosidad un mapa del Valle de México, donde indica la posición de muchas de ellas. Un grupo se encuentra un poco al norte de Ixtapalapa a lo largo del canal de la Viga, donde las vieron efectivamente Humboldt, Poinsett y Bullock. Otro grupo está al norte del pueblo de Xochimilco. En estas regiones las tierras se hallan, en nuestros días, a bastante elevación sobre el nivel del agua, y en los de Montezuma no pasarían de ser sino pantanos. De todos modos allí se construían las chinampas en aguas tan “bajías” que no han podido flotar jamás.

Las chinampas de Ixtacalco que menciona Humboldt se encuentran a una elevación igual a la de la Plaza de la Constitución, de manera que, desde un principio, descansaban sobre el fondo del “lago”. En Xochimilco también están las chinampas a pocos pies sobre el nivel del gran canal, o sea lo que queda del antiguo lago de Chalco. Estas tampoco pudieron flotar nunca, pues si el Chalco hubiese crecido hasta el punto de hacerlas sobreaguar, se habría desaguado en el Texcoco, y la Ciudad de México habría sido inundada hasta una profundidad de cuatro pies.

A las razones ya apuntadas, agregaremos otras contra la posible existencia de los jardines flotantes mexicanos. En el caso de las chinampas de Clavigero, por un simple fenómeno de capilaridad, su

capa de tierra, relativamente delgada, en poco tiempo se habría convertido en puro lodo incapaz de sostener una choza, o un árbol, pero ni siquiera el peso mismo del indio agricultor. . . . Además, esa tierra, convertida en lodo agrio, ¿cómo podía ser propicia a las labores de cultivo de hortalizas y de flores?

Y suponiendo que las chinampas fuesen construídas de cañas o de tablones capaces de sostener una gran masa de tierras de cultivo, ¿cómo podían remolcarse? De ninguna manera, pues no tendrían coherencia suficiente para mantenerse íntegras, ni podrían resistir el tiro del remolque, que las desbarataría. Un indio con su canoa no podría jamás remolcar tales chinampas, ni los podría mover un remolcador moderno de vapor que, al primer tirón, causaría la ruina total del jardín. Y si la chinampa sólo descansaba temporalmente sobre el fondo del lago, tampoco se podría mover sin desbaratarla, pues las cañas, las raíces, las ramas, etc. de la balsa de sustentación se agarrarían en el fondo y la tierra del huerto se hundiría colándose por entre las hendeduras y rajaduras producidas por ese agarramiento.

De todo lo dicho resulta que el cuento de las chinampas, con su choza, sus arbolitos, sus hortalizas y sus flores, que el azteca antiguo, su propietario, podía remolcar de un punto a otro del lago cuandoquiera que buscase mejor vecindad, es un cuento tan absurdo como la aventuras del Barón de Münchhausen. . . . En esas chinampas la choza del indio se habría hundido por entre las cañas de la balsa; sus árboles no habrían tenido tierra suficiente para crecer sin arraigarse en el fondo mismo del lago, y el viento más mínimo las habría hecho zozobrar, a las habría empujado unas contra otras, desbaratándolas o cerrando los canales e interrumpiendo así el tráfico en la idílica comunidad lacustre. . . .

Otras razones de distinta índole desacreditan además la leyenda de los jardines flotantes. El nombre *chinampa* es sólo un compuesto de la palabra *chinamitl* (azteca por *seto* o *cerca de cañas*, según el lexicógrafo Molina en el año 1580) con el afijo locativo *pa*, y significa, pues, *donde se encuentran las cercas*. La palabra no contiene elemento alguno que signifique *isla*, ni muchísimo menos *isla* que *flota* o que *nada*. De hecho las ideas de *cerca* e *isla* parecen incongruentes.

Además, en el Museo Nacional de México se conservan algunos planos antiguos de las chinampas aztecas que datan del tiempo en que, según Clavigero, flotaban todas las chinampas y se podían remolcar fácilmente a lo largo del lago. . . . Parece que el gobierno azteca de los tiempos antiguos no tenía miedo de que sus arrendatarios se lle-

vasen, sus fincas sin pagar el arrendamiento o alquiler . . . y que las chinampas se construían como un medio de reclamarle tierras a los pantanos o cenagales. En realidad, las chinampas eran huertos contruídos sobre el fondo del pantano y en un lecho retenedor fabricado de materia lúnea, cañas, ramas, raíces, juncos, arbustos u otras materias vegetales que pudiesen sostener sobre el lodazal la capa de tierra o suelo nutricio que se echaba encima para los cultivos de flores y hortalizas. Estos huertos, bien *cercados*, estaban separados unos de otros por canales de desagüe que servían también como vías acuáticas por donde se podían llevar al mercado, en barcas y canoas, los frutos cultivados. Las chinampas no flotaban jamás, y si en ellas se hubiese notado la más ligera tendencia a flotar, sus dueños se habrían empeñado en estacarlas y fijarlas en sus sitios respectivos, pues no sería deseable para ellos tener huertos que las brisas pudieran llevar de un lado a otro del lago, y por lo tanto, hasta el territorio mismo de otra tribu quizá enemiga.

El largo de las chinampas podía variarse, mas no así su ancho, puesto que el suelo de cultivo era el recogido de los canales de desagüe. Dadas las herramientas primitivas de los aztecas, éstos no podían tener más de un metro de profundidad, y si ésta hubiese sido mayor habrían resultado deslizamientos laterales. La superficie del jardín tendría necesariamente como un metro de elevación sobre el nivel del agua, pues de otro modo el suelo habría sido demasiado húmedo para el cultivo de plantas que no fuesen de natural acuáticas. Los datos de Bullock cuadran mejor con el tamaño de las chinampas modernas, aunque muchos de los antiguos canales se han cegado en nuestros días. Las chinampas excesivamente anchas de que nos habla Clavigero no corresponden con las labores prácticas conocidas en el arte de la reclamación de tierras pantanosas, como no corresponden las cifras de Humboldt con la construcción de una balsa. Los indios de Clavigero no habrían hallado bastante suelo en los canales vecinos para construir esas chinampas de que él nos habla, y las balsas del célebre Barón no se habrían prestado al remolcamiento. . . . En cambio, es posible que Humboldt viera chinampas fijas de las dimensiones que anota.

Los holandeses son los más eminentes maestros en el arte de reclamar para los cultivos las tierras pantanosas o inundadas. Empero no han tenido ellos ningún Clavigero que llamase jardín flotante al conocido *polder* de Holanda. Y si fuese posible construir un jardín flotante de verdad—aun sin chozas ni arbolitos—de seguro los acuá-

ticos holandeses no se habrían tomado la pena de desaguar al Zuider Zee, antes bien lo habrían cubierto de chinampas mexicanas.

¿Y por qué nos brindó Clavigero el bello cuento de los jardines flotantes? Siendo como era historiador empeñado en ser virídico, de seguro algún fundamento tuvo para hablarnos de ellos como lo hizo.

Naturalmente, es posible que el buen abad se hubiese familiarizado con los cuentos de islas flotantes en las literaturas europeas; pero existen también ciertos hechos positivos que pudieron sugerirle la idea independientemente. En efecto, en México se escogían para fines de reclamación de tierras los sitios pantanosos donde el agua era más "bajía", y por lo tanto acaeció muchas veces que mediase tan sólo un brazo de agua abierta entre una chinampa, o un grupo de chinampas, y la orilla del lago. En tal caso, un observador poco exacto podía ver en una isla un jardín "flotante" encaminándose a la orilla opuesta.

Además, en los lagos mexicanos abundaba una planta acuática (*Eichornia crassipes*, o sea los *cespugli* . . . *che galleggiano* de Clavigero), que abunda también en las orillas del río Misisipí y en algunos pantanos de la Florida. Estas plantas, que flotan sobre ampollas o vejigas y alcanzan alturas de hasta dos pies sobre el nivel del agua, forman efectivamente islas flotantes que nadan por acá y por allá a merced del viento. Si el buen abad echó alguna vez una mirada sobre el lago de Chalco, no dejaría de notar que se movían algunas masas de estas plantas, al mismo tiempo que sus aguas se hallaban salpicadas de islas artificiales—las chinampas—de una altura poco mayor que la de las "islas" movedizas. Puede ser también que viese Clavigero un simple fenómeno bastante parecido al del indio malcontento que remolcaba su jardín tras sí al huir de los vecinos antipáticos, pues es verdad que los chinamperos emplean la planta *crassipes* para abonar sus campos de cultivo, y, por lo tanto, el observador pudo ver con frecuencia a un agricultor amfibio remolcar con su canoa una masa de *crassipes* hacia su pequeña finca. Además los chinamperos cargan sus embarcaciones hasta tal punto que apenas sobreaguan, y por lo mismo tales embarcaciones bien pudieran parecer islas flotantes al observador casual.

Que el Abad Clavigero no observaba bien los fenómenos de la naturaleza puede demostrarse al leer la descripción que nos hace del *phrynosoma*, animalito tan abundante que ni siquiera el niño mexicano de tiernos años lo desconoce.⁹ El *phrynosoma* sería objeto bien cono-

⁹“È perfettamente orbicolare, cartilaginosa, e si sente molto fredda nel toccarla. Il diametro del suo corpo è di sei dita. La sua testa è durissima, e di

cido de Clavigero; no obstante nos da una idea falsa de su tamaño y de su actividad, y repite la patraña de que arroja gotas de sangre por los ojos.

Puesto que el abad se muestra así tan descuidado en las cosas que le eran bien conocidas, no es de evtrañarse que escribiera falsedades acerca de lo que sabía de oídas, como cuando nos dice acerca de los monos mexicanos (p. 75-76):

Ve ne (Scimie) sono di varia grandezza e figura, delle picciole è singolarmente graziose; delle mezzane della corpulenza d'un Tasso, e delle grandi, forti, feroci, e barbate, le quali chiamansi da alcuni *Zambos*. Queste quando stanno ritte, como fanno, sopra due piedi, agguagliano tal volta la statura d'un uomo.

Esto es falso, pues ni hay ni ha habido en México, ni en ninguna parte de América, cuadrumanos antropoides, barbaditos y del tamaño de un hombre.

Lo más enigmático del cuento de las chinampas lo forman el apoyo "científico" que le presta Humboldt a la fábula de Clavigero y su afirmación de que él mismo había visto islas semejantes en Italia y en el Ecuador. . . . Con todo, los mismos datos botánicos de que nos habla el ilustre viajero demuestran que lo que él vió no pasaba de ser una "isla" formada de plantas acuáticas, sin ser en absoluto una balsa maciza en la cual los indios pudiesen cultivar maíz y hortalizas, o levantar sus chozas. *Pistia stratiotes* se llama a un aloide flotante; la *pontederia* es también una pequeña planta flotante, y la *ulva* es una alga de agua dulce. Ni el buen barón ni ningún cristiano vió jamás los céspedes flotantes donde los aztecas pudiesen cavar y hacer cultivos, después de "juntarlos" artificialmente por ningún medio. Humboldt, en su entusiasmo de erudito y afanoso de escribir acerca de la lixiviación y los análisis del suelo, perdió de vista por completo las leyes de la gravedad, y las de los desplazamientos de los líquidos, y las de la capilaridad, y no supo establecer la diferencia esencial que existe entre una masa de plantas acuáticas capaces de sobreaguar y las toneladas de suelo vegetal de un huerto destinado—según la fábula—a descansar sobre unas débiles balsas de caña!

colori diversi macchiata. È tanto lenta a pigra, che neppure scossa si muove. Se le percuotono la testa, o le comprimono gli occhj, lancia da essi sino a due o tre passi in lontananza alcune goccioline di sangue; ma per altro è animale innocente, a mostra compiacersi d'essere maneggiata. Può credersi, ch'essendo d'un temperamento tanto freddo, abbia qualche conforto dal calore della mano." Clavigero, *Storia di Messico*, VII, 95.

A Prescott, el historiador ciego de Connecticut, quizás no conviene exigirle un conocimiento estricto de los pesos atómicos relativos. . . . Es de suponerse eso sí que Prescott no se habría granjeado el amor y el entusiasmo de sus compatriotas yanquis si él les hubiese aconsejado que explotasen sus lagunas y pantanos construyendo en ellos balsas de cañas, espadañas y "other such fibrous material" para echar luégo en ellas una espesa capa de fango sacado del fondo del agua, y construir más luégo una choza que rodear de arbolitos, de hortalizas y de flores.

Tampoco podemos exigirles a los turistas grandes ni pequeños conocimientos acerca de las leyes de la física y de la química que hacen imposible la construcción de las chinampas flotantes, y con todo, su famosa leyenda sigue ganando amigos y prosélitos por todas partes! . . . Chinampas aztecas! . . . Jardines flotantes de Xochimilco misterioso. . . . ¿Quién no ha sentido o no ha querido sentir su encanto brujo y sin igual? . . . El buen sentido niega su existencia, hoy como ayer, y hoy como mañana, pero la poesía continuará exaltando su embrujo maravilloso, y seguirá soñando con los tiempos ya desaparecidos, tiempos de leyenda en que los aztecas, antes de haber visto a los barbudos soldados de Cortés, se iban por esos lagos del Dios de los Idilios, con su chinampa a remolque, cuando querían nuevas rutas, o nuevos horizontes!

NORMAN L. WILLEY.

University of Michigan,

CARLOS GARCÍA PRADA.

University of Washington.

Under date of October 1, 1938 Mrs. Concha Romero James, Chief of the Division of Intellectual Cooperation of the Pan American Union, sent form letters to the presidents of all colleges and Universities, and some normal schools, in the United States stating that Professor A. Curtis Wilgus, of the George Washington University, was making his fourth four-year Survey of Investigations in Progress and contemplated in the field of Hispanic American history, civilization, and relations. With the letter was a blank to be filled out with the desired information. It was further stated that the report of this Survey would be published in the HISPANIC AMERICAN HISTORICAL REVIEW for August, 1939. If readers of this REVIEW, whether students or faculty members, have not reported their activities they should send their information to Professor Wilgus at the earliest possible

moment. It is hoped that persons having no present connection with colleges and universities will also send information about their investigations to the compiler.

Ronald Hilton, a fellow of the Commonwealth fund, acting under the auspices of the Bancroft Library of the University of California, has visited many institutions in the United States for the purpose of compiling a survey of Hispanic studies in the United States. The results of his study will be embodied in a *Handbook of Hispanic Studies in the United States*, which will include Spanish, Portuguese, and Hispanic America. It is proposed to include all branches of study in the handbook (history, geography, literature, language, art, archeology, ethnology, economics, etc.). The handbook will consist of a series of statements concerning libraries, collections, museums, and other organizations, and each statement will be prepared by or under the supervision of the person most competent to make it. All who know of any person or organizations possessing Hispanic source materials or sponsoring any particular kind of Hispanic source material, is asked to communicate with Mr. Hilton, whose address is Faculty Club, University of California, Berkeley, California. Mr. Hilton will appreciate hearing from such persons or organizations as soon as possible.

Martinus Nijhoff (La Haya, 1938) published in reprint form an item by Homero Serís from *Actes du Comité international des Bibliothèques*, 10th session, 1937 (Vol. IX), entitled "Les Bibliothèques Espagnoles pendant la Guerre". In this, Señor Serís says:

Desirous of preventing the destruction of libraries and archives during the war, the Spanish Government appointed a committee of which I had the honor to form a part. The manuscripts, cradle books, and rare and unique books of the Biblioteca Nacional of Madrid were placed down in the sub-basement and covered over with sacks filled with sand. The same was done with the books and documents of rich private libraries abandoned by their owners, and the same with those of convents and monasteries. In this way, we have been able to avoid the loss of magnificent collections of books and manuscripts.

Continuing, Sr. Serís narrates other acts of the government for the safety of books and manuscripts, including the collections in the Escorial.

The Centenary Commission for the celebration of the centenary of Eugenio María de Hostos, of Puerto Rico, has issued an invitation to,

and rules governing, the official contest for the awarding of the prize "Eugenio María de Hostos", 1939. The Commission, by Act of the Puerto Rican legislature, approved by the governor, April 14, 1938, confirms its resolution providing for a contest and prize for the best originals and unpublished biographies, in Spanish and English, of Eugenio María de Hostos—thinker, writer, educator, and sociologist—the first centenary of whose birth will be celebrated in January, 1939. The circular issued by the commission provides as follows:

1. This publication modifies and supersedes the previous notice published by the Commission.

2. The topic for this contest shall be: Biography of *Eugenio María de Hostos*.

3. All manuscripts must be written in either the Spanish or the English language; must be original and unpublished and shall have approximately seventy-five thousand words.

4. All persons participating in the contest shall mark their manuscripts at the top with a distinctive motto and shall attach to the same an envelope sealed with sealing wax in which shall be enclosed a slip of paper containing his name and address. The envelope shall be marked on the outside with the motto and the first line of the manuscript.

5. One original and two copies of the manuscript, typewritten and perfectly legible, shall be forwarded by mail and addressed to the President of the De Hostos Centenary Commission, Emilio del Toro, Chief Justice of the Supreme Court of Puerto Rico, San Juan, Puerto Rico.

6. The contest shall close at noon on the thirty-first day of December, 1939.

7. Manuscripts accompanied by any papers, marks or scripts of any kind which may in any way assist in the identification of the author prior to the awarding of the prize, shall be rejected.

8. After the contest is over, the original of all manuscripts submitted shall be bound into one volume and the President of the Commission shall deliver the same over to the custody of the Puerto Rican Section of the Library of the University of Puerto Rico.

9. The Commission will award a prize and an *accesit*. The prize shall consist of a diploma and one thousand dollars in cash. The *accesit* shall consist of a diploma and two hundred and fifty dollars in cash.

10. As soon as practicable within the year 1940, the Commission shall publish a limited memorial edition, not to exceed one thousand copies, of the paper awarded first prize. This edition shall be distributed free to libraries, universities and other institutions, and persons of learning and prestige at home and abroad. The author of the winning paper will, however, retain his property rights and will be at liberty thereafter to make as many editions of his work as he may desire. The Commission will not return any manuscripts, but their authors will be at liberty to exercise their property rights as they may see fit.

11. The Commission shall announce the awards not later than the 31st day of March, 1940.

12. This contest shall be open to any person without limitation of nationality or place of residence.

The first International Congress of the teaching of Ibero-American Literature was held in Mexico, in August, 1938, under the patronage of the National University. The purpose of the congress, as shown by its prospectus, were to assemble together professors, authors, and representatives of institutions having relations with teaching in America; to intensify cultural relations on the American continents; to encourage the interchange of all sorts of information related to literature and its teaching; to initiate an effective interchange of teachers; to work toward the creation and maintenance of chairs of Ibero-American literature and of special libraries or adequate sections in libraries already existing of American literature; etc. The congress had also as one of its objects the teaching of Portuguese.

The Louisiana Society, Daughters of the American Colonists, has sent to the Advisory Board on National Parks, Historic Sites, Buildings and Monuments an extensive historical account (with maps) of the old Spanish presidio of Los Adais, in an effort to have the site of the presidio declared a national park site. Mrs. L. C. Bulkley, of Shreveport, Louisiana, has supplied in this an interesting account of the old presidio in her "A colonial Site in Natchitoches Parish, Louisiana", in which she has made considerable use of data brought out by Professor Herbert E. Bolton and others. J. Fair Hardin gives other pertinent historical data in an item entitled "Capital of old Spanish Province of Texas is in Parish of Natchitoches".

BIBLIOGRAPHICAL SECTION

SOME OF THE HISPANIC AMERICAN RESOURCES OF THE UNIVERSITY OF TEXAS

When I knocked at the door of the García Pimentel home in Mexico City in 1922, asked to be permitted to see two sixteenth-century books of which that family owned the only copies known, and was generously accorded the privilege of studying those precious volumes in the midst of the treasures accumulated by the indefatigable bibliographer Joaquín García Icazbalceta, little did I dream that fifteen years later I would have the privilege of chronicling the acquisition of that magnificent collection by the University of Texas.

Small in extent, the portion of the Icazbalceta library purchased is exceedingly rich in content. Among the 247 volumes, 87 of which are composed of original manuscripts, are 45 Mexican imprints of the sixteenth-century, 34 of the seventeenth and 17 of the eighteenth. Even the National Library of Mexico does not have some of these; others are duplicated only in the British Museum, the New York Public, or the John Carter Brown Library. When these rare volumes were added to the 10,000 volumes of eighteenth and nineteenth century Mexicana purchased from the Genaro García family in 1920, the Hispanic American collection of the University of Texas advanced to an enviable place. And when to these was added in 1938 the Stephens Collection, especially rich in Southwestern materials, the institution took one more forward step toward leadership in the possession of the tools requisite to Hispanic American scholarship—a position it is destined, both geographically and culturally, to hold. For in Texas two civilizations—the Spanish and Anglo-American—meet.

The richness of the manuscript section of the Icazbalceta Library can be seen from even a hurried glance at the catalogue prepared by Gómez de Orozco and published as the ninth number of the *Monografías bibliográficas mexicanas* (Mexico, 1927). Outstanding are the Cortes letter dated October 15, 1524; the *Memorial* of Las Casas; the letters and autograph of the *Historia eclesiástica* of Mendieta, the documents which served as a basis for Icazbalceta's life of Bishop Zumárraga, the originals of the *Documentos* published by him and also by his son, Luis García Pimentel, the autograph of Cavo's *Historia de México*, of the *Sumaria Relación* of Dorantes de Ca-

rranza, and many unpublished documents relating to Mexico and Peru.

The printed books begin with the *Doctrina breve* of Zumárraga (1543), and include the *Doctrina* of Fray Pedro de Gante, the *Diálogos* of Cervantes de Salazar, the *Manuale Sanctorum* of 1560, the *Psalterium Antiphonarium* of Sahagun, the 1589 *Antiphonarium* and the *Puga Cedulaario*. The 17th-century imprints include Navarro's *Passion Music* (1604), Martínez Henrico's *Cosmógrafo*, Eslava's *Coloquios espirituales*, La Rea's *Crónica* and Baselenque's *Historia* of Michoacan (1673), Burgoa's *Palestra Historial*, Montemayor's *Sumario de las Cédulas*, Vetancurt's *Teatro mexicano* and *Menología*. Among the seventeenth-century works not printed in Mexico are the chronicles or histories of Garcilaso, Zárate, Equiluz, and Calancha on Peru, Villagrá on New Mexico, Ovalle on Chile, Florez de Ocariz on Colombia, Cogulludo on Yucatan, and Combes on Mindanao.

The Stephens Collection embraces 874 titles of printed books, pamphlets, and newspapers, and 422 documents covering over 20,000 manuscript pages—the earliest dated 1488, the latest 1860. The material is distributed approximately as follows: 500 books and over 11,000 pages of manuscript on Mexico, bearing particularly on the period 1810-1820, the Inquisition, Yucatan, and church administration. The 123 printed items on Texas include the rare *Análisis de la Campaña de Texas*, printed in Matamoras, and Bartolome García's *Manual para administrar los santos Sacramentos*. Material for the life of Santa Anna and for relations between Texas and Mexico, 1820-1845, are provided by both the books and over 1100 pages of manuscripts. Seventy-one rare books and pamphlets deal with the Mexican War. On California there are 90 books and over 4500 pages of manuscripts, which include original letters and reports of Kino, Serra, and Palou. A first edition of Clavigero (Venice, 1789), the *Quatro Cartas* of Salvatierra (Mexico, 1698), the Spanish edition of the debates of the constitutional convention of California, and many pamphlets dealing with the pious fund are among the printed items. There are 48 books and over 2500 pages of manuscript on New Mexico and the Interior Provinces. Forty-four incomplete files of newspapers published in Mexico from 1810 to 1850 complete the collection. It should be noted that the acquisition of the Stephens material was made possible largely through the efforts of Dr. Carlos E. Castañeda, Latin American Librarian of the University of Texas.

Austin, Texas.

LOTA M. SPELL.

BLEST GANA'S DEBT TO BARROS ARANA

Alberto Blest Gana (1830-1920), the leading novelist of Chile, was, like most men of letters of his country, deeply interested in national history. This interest is reflected in four of his novels, *Martín Rivas*, *El loco Estero*, *El ideal de un calavera* and *Durante la Reconquista*.¹ In the first three of these the historical element is incidental to the plots, but in *Durante la Reconquista* we find a novel in which history provides the plot, and to a considerable extent, the characters as well.

The work, an imposing story in two volumes, presents a detailed picture of a short but dramatic period of Chilean history, beginning with the defeat of the Chilean troops at Rancagua, in October, 1814, and taking up successively the arrest of Chilean patriots in November, 1814, the prison massacre of February 6, 1815, the mission of Álvarez Condarco to Marcó del Pont in 1816, the Chilean attack on Melipilla in January, 1817, ending with the final collapse of Spain's dominion shortly after the battle of Chacabuco.

Blest Gana had at his disposal two authoritative historical accounts of the period, Barros Arana's *Historia Jeneral*² and *La Conquista Española*³ of the Amunátegui brothers, as well as several less pretentious works. The evidence, as brought out by the following parallel quotations, shows conclusively that he relied almost entirely upon Arana's *Historia Jeneral*, a work which he followed so closely as to include even very minor details mentioned by the historian. The quotations given are merely a few of numerous passages in which the similarity is as striking.

The first group deals with the battle of Rancagua, the account in the novel being related by the *roto* Cámara, a non-historical character.

"Para salir de dudas, O'Higgins resolvió enviar un mensaje al general en jefe. Ese mensaje escrito en una tirilla de papel no contenía más que estas palabras: 'Si vienen municiones y carga la tercera división todo es

" 'Mira hombre' que me dijo mi General, ¿te animáis a salir de la plaza, a llevar una carta al general Carrera? . . . Toma este papel me dijo mi general, 'Si te pillan al salir, trágate el papel. Si no te pillan, busca al general

¹ *Durante la Reconquista* (Garnier Hermanos, Paris, n. d.)

² Diego Barros Arana, *Historia Jeneral de Chile*, Santiago, 1888.

³ Miguel Luis i Gregorio Víctor Amunátegui, *La Reconquista Española*, Santiago, 1912 . . . (First published in the *Anales de la Universidad*, 1851).

hecho.' Un valiente soldado de dragones que se ofreció a llevarlo, saltando tapias o deslizándose por las acequias y albañales, partió de Rancagua a las nueve de la noche.'" (Arana, IX, 569.)

"El cañoneo no cesa. El agua de las acequias ha sido cortada, y no hay con que apagar la sed ni con que refrescar las armas. Todos los labios están ennegrecidos de morder cartuchos. Los cañones están caldeados por el continuo fuego, y su carga se inflama antes de allegarle la mecha." (Arana, IX, 573.)

"En medio de estos desórdenes, el incendio puesto a algunos edificios continuaba su obra de destrucción sin que nadie se empeñara en ponerla atajo. El hospital de sangre que O'Higgins había colocado en una casa situada en la misma plaza, fué invadido por las llamas. Los heridos que podían andar o arrastrarse, hallaron su salvación en los patios o corrales; pero los que estaban imposibilitados para moverse, tuvieron una muerte atroz. El día siguiente se sacaron de entre los escombros de esa casa veintiocho cadáveres carbonizados. Los testigos de aquellos horribles sucesos contaban que se veían aferadas a las rejas de las ventanas las manos de algunos de esos infelices que en las angustias de la muerte habían llegado hasta allí para buscar su salvación.'" (Arana, IX, 577.)

en jefe, que ha de estar en alguna parte, por el camino de Santiago, y le entregas el papel; y me traes la contestación. Apúrate en volver, ya sabes que no tenemos municiones para seguir peleando. . . . Saltando tapias y pasando por los tejados, salí de la plaza sin que nadie me viera, y me puse a andar por los potreros. (*Durante la Reconquista*, I, 114.)

"Ya todos teníamos dolor en los dientes, con tanto morder cartuchos. No había agua ni siquiera para mojar los escobillones y mojar por adentro las piezas, que estaban como fuego de calientes." (*Durante la Reconquista*, I, 113.)

"Por su orden se puso fuego al hospital de sangre de los sitiados y se impedía salir; con grande algazara, con golpes y atroces insultos, a los heridos que ahí habían sido dejados, hasta que todos perecieron en las llamas. Las manos calcinadas de muchos de esos infelices habían sido encontradas en las rejas de las ventanas del edificio.'" (*Durante la Reconquista*, I, 124.)

Another example of borrowing by the novelist is found in the following excerpts, which describe the fate of the message brought by Alvarez Condareo from San Martín to the military governor of Chile.

"Leí y publiqué por voz de pregonero la acta original de que queda testi-

"Entonces se oyó en el silencio levantarse la voz del escribano Re-

monio para cabeza de este expediente el decreto del muy ilustre señor presidente, gobernador y capitán general de este reino, referente al dictamen del señor auditor de guerra; y hecho, tiré al suelo la acta original; y el señor mayor de plaza mandó al verdugo la tomase y que manifestándola al público, la entregase a las llamas como lo hizo, estando a este fin anticipado el incendio en que se consumió. Y para que conste, lo pongo por diligencia en Santiago y diciembre de 1816.—*Ramón de Rebolledo*, escribano de gobierno.” (Arana, X, 418-419.)

bolledo. . . . Leyó con el tono de amenazante de un predicador de cuaresma . . . la nota de San Martín, el fulminante dictamen del Auditor de guerra, el decreto del Presidente. Y al resonar la última palabra de la sonora arenga, el escribano arrojó al suelo el papel con la arrogancia de ademán que han prestado los artistas a Scevola, presentando al brasero la homicida mano. A una orden del Mayor de plaza el verdugo recogió ‘el infame libelo’, y en la actitud de Perseo, que muestra la sangreinta cabeza de Medusa, expuso un momento el oficio original a la contemplación del público y lo mantuvo después sobre las llamas para que ardiese poco a poco.” (*Durante la Reconquista*, II, 351.)

One important bit of evidence can be adduced to show that Blest Gana did not derive all his material from Arana. This has to do with an incident in the life of Manuel Rodríguez, the Chilean patriot. During one of his visits at the home of a friendly rural judge, a body of Spanish troops searching for him suddenly appeared; Rodríguez, realizing that escape was impossible, had himself put into the stocks used as punishment for minor infractions of the law. His host was to tell the soldiers that the prisoner was being punished for a youthful prank. Satisfied with this explanation the soldiers left to continue their search for Rodríguez, who soon made his escape in the opposite direction.

This episode, found in *La Reconquista Española*,⁴ appears in the novel⁵ with a few slight changes, but no mention is made of it by Arana.

It is not the intention of the writer to imply that *Durante la Reconquista* is so close to fact as to be true in every detail. In a work of its scope the novelist had to, and did deviate occasionally from history. All the important characters, except Osorio, San Bruno, Marcó del Pont, Manuel Rodríguez, Villalobos and Juan Argomedo, are fictional. Nor are all the historical characters presented impartially and true to life. Blest Gana, moved to hatred by the atrocities committed by Spain during the Reconquest, may be pardoned for having carica-

⁴ P. 404.

⁵ I, 188-192.

tured Spanish ineptitude and cruelty in the persons of Osorio and San Bruno, respectively. Nevertheless, the novel does present an exceedingly accurate picture of the period, and even a casual reader will agree with Dr. G. W. Umphrey that "*Durante la Reconquista* is one of the best historical novels in Spanish-American literature and compares favorably with any historical novel in the literature of Spain".⁶

WILLIAM E. WILSON.

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⁶ Martín Rivas (D. C. Heath and Co., 1926).

BIBLIOGRAPHICAL NOTES

A recent gift to the Newberry Library of Chicago is a collection of books chiefly relating to the history and literature of Portugal and of Portuguese discoveries during the eighteenth century. This gift was made by Mr. William B. Greenlee, a member of the Board of Trustees, and forms a collection bearing his name. It was assembled over a long period of years and centers around the early voyages of the Portuguese and particularly that of Pedro Alvares Cabral concerning which Mr. Greenlee has written a volume, now in press, for the Hakluyt Society. The collection contains copies of the standard authorities, often in several editions, including the early chronicles, the works of the early historians and of the more modern writers. It naturally includes many books relating to the Portuguese voyages along the coast of Africa and to India, as well as to their relations with Morocco, Abyssinia, and Brazil. In general, the collection may be said to contain nearly all the printed sources for this interesting period. The addition of Mr. Greenlee's books, shelved adjacent to the Ayer Collection of the Newberry Library, makes this gift particularly valuable and appropriate because for several years past that collection has been expanding its field to cover the history of colonial South America. The section on Brazil is already extensive and is thus made of still greater value by this acquisition.—R. L. BUTLER.

The Edward E. Ayer Collection of the Newberry Library reports that it now has the following files of periodicals published in South American countries. Some of these files lack certain numbers but every effort is being made to complete them.

Argentina

- Anales de la Biblioteca. 10 vols. Buenos Aires, 1900-1915. (All published).
Boletín de la Junta de Historia y Numismática Americana. Buenos Aires.
Complete set.
Boletín del Instituto de Investigaciones Históricas. Vols. 1-18 and supplements.
Buenos Aires, 1922-1935.
Revista del Instituto de Etnología de la Universidad Nacional de Tucumán.
2 vols. Tucumán, 1929-1931.
Revista del Museo de La Plata. Vols. 1-34. La Plata, 1890-1934.
Revista Geográfica Americana. Vols. 1-10. Buenos Aires, 1933-1938.

Brazil

- Annaes da Bibliotheca e Archivo Publico do Pará. Vols. 1-10. Pará, 1902-1926.
- Annaes da Bibliotheca Nacional do Rio de Janeiro. Vols. 1-51. Rio de Janeiro, 1876-1938.
- Annaes do Museu Paulista. Vols. 1-8. São Paulo, 1922-1938.
- Boletim do Museu Nacional. Vols. 1-13. Rio de Janeiro, 1923-1938.
- Revista de Philologia e de Historia. Archivo de Estudos sobre Philologia, Historia, Etnographia, Folclore e Critica Literaria. Vols. 1-2. Rio de Janeiro, 1931-1934. (All published.)
- Revista do Arquivo Municipal de São Paulo. Vols. 1-48. São Paulo, 1934-1938.
- Revista do Archivo Publico Mineiro. Vols. 1-10. Ouro Preto, 1896-1904.
- Revista do Instituto Archeologico, Historico e Geographico Pernambucano. Nos. 1-9, 17-24, 27-30, 32-86, 90-100, 115-162. Pernambuco, 1863-1936.
- Revista Trimensal do Instituto Geographico e Historico da Bahia. Nos. 2-18, 20-23, 26-32, 34-43, 46, 48-63. Bahia, 1894-1937.
- Revista do Instituto Historico e Geographico do Brazil. Vols. 1-73, 75-78, 80-81, 83-112, and supplements to: v. 51, 5 vols. (1915-1917); 9 vols. (1925-1930) Congresso Internacional de Historia da America; 1 vol. (1933) Apostillas de Historia do Brasil por Max Fleiuss; Supp. 107, 2 vols. (1934-1935) Instituto Pan-Americano de Geografia e Historia. Rio de Janeiro, 1839-1935.
- Revista do Instituto Historico e Geographico do Rio Grande do Sul. Vols. 1-13. Porto Alegre, 1921-1933.
- Revista do Instituto Historico e Geographico de São Paulo. Vols. 1-34. São Paulo, 1913-1938.
- Revista do Museu Paulista. Vols. 1-23. São Paulo, 1895-1938.

Chile

- Revista Chilena de Historia y Geografia. Vols. 1-83. Santiago de Chile, 1911-1938.

Colombia

- Boletín de Historia y Antigüedades. Organo de la Academia Nacional de Historia. Vols. 1-25. Bogotá, 1902-1938.

Ecuador

- Anales de la Universidad Central del Ecuador. Vols. 46-60. Quito, 1931-1938.
- Revista del Centro de Estudios históricos y geográficos de Cuenca. Nos. 2-3, 5-24. Cuenca, 1921-1932.

Peru

- Inca. Revista Trimestral de Estudios Antropológicos. Organo del Museo de Arqueología de la Universidad de San Marcos. Nos. 1 and 3. Lima, 1923.
- Misiones Dominicanas del Perú. Revista Bimestral Ilustrada. Vols. 13-20. Lima, 1931-1938.
- Revista del Archivo Nacional del Perú. Vols. 9-11. Lima, 1936-1938.
- Revista del Museo Nacional. Vols. 1-6. Lima, 1932-1937.
- Revista Histórica: Organo del Instituto Histórico del Perú. Vols. 9-11. Lima, 1928-1937.

Uruguay

Revista de la Sociedad "Amigos de la Arqueología". Vols. 1-8. Montevideo, 1927-1937.

Revista del Instituto Histórico y Geográfico del Uruguay. Vols. 1-12. Montevideo, 1920-1936.

Venezuela

Boletín de la Academia Nacional de la Historia. Vols. 14-21. Caracas, 1931-1938.

Mention should also be made of the following periodicals, which, although not published in South America, have a large amount of material concerning these countries:

Archivo Ibero-americano. Estudios Históricos sobre la Orden Franciscana en España y sus Misiones. Vols. 1-35. Madrid, 1914-1932.

Boletín del Instituto de Estudios Americanistas de Sevilla. Vols. 1-12. Seville, 1913-1925.

Ibero-Amerikanisches Archiv. Zeitschrift des Ibero-Amerikanischen Forschungs-Instituts der Universität Bonn. Vols. 1-12. Berlin, 1924-1938.

Journal de la Société des Americanistes. Vols. 1-30. Paris, 1896-1938.

Lusitania. Revista de Estudos Portugueses. Vols. 1-14. Lisbon, 1924-1927. (All published.)

Revista da Universidade de Coimbra. Vols. 1-12. Coimbra, 1912-1934.

Revista de las Españas. Nos. 1-103. Madrid, 1926-1936.

Revue de l'Amérique Latine. Vols. 1-23. Paris, 1922-1932.

RUTH LAPHAM BUTLER.

Dr. Charles E. Chapman's two volumes entitled respectively *Colonial Hispanic America: A History*, and *Republican Hispanic America: A History*, both of which have been reviewed in THE HISPANIC AMERICAN HISTORICAL REVIEW, have been issued by the Macmillan Company in one single volume, for more convenient classroom work. The two volumes combined in a single cover are priced at \$4.00, and so, are within the range of the student. Teachers, whether in high schools or colleges will find both volumes or the combined volume excellent for classroom use. They furnish the student a great deal of pertinent information and give not only the basic facts of Hispanic colonization in America but of the independence period as well. They are not verbose and do not appall by the presentation of unnecessary data.

No. 13 of the "Ibero-Americana" Series now being published by the University of California Press was written by Professor Lesley Byrd Simpson, of the University of California. The volume is part

three of its author's "Studies in the Administration of the Indians in New Spain", and is on "The Repartimiento System of Native Labor in New Spain and Guatemala" (Berkeley, 1938, pp. ix, 161, \$1.75). The work was made possible by aid from the Guggenheim and the Rockefeller Foundations. Following an excellent introduction, the study is divided into five chapters: The Repartimiento in Public Works, in Mining, in Manufactures, and Transportation; Forced Labor in Churches and Convents; and the Repartimiento in Agriculture. There are twelve appendices consisting of documents. The treatise is excellent and is basic.

Writings on American History, 1934 (Washington, G. P. O., 1938, pp. XXXIV, 463) compiled by Grace Gardner Griffin, Dorothy M. Lorraine, and Katherine M. Tate, maintains the high standard set by preceding volumes. The preparation of the manuscript was made possible by a group of twenty-one subscribers, and the work of compilation was performed under the direction of Dr. J. Franklin Jameson. Titles concerning Hispanic America are found on pp. 25-33 (aboriginal America); 94 (Mexican War); 101 (Spanish-American War); and 352-377 (Latin America). Titles on the Philippines occur on 9, 378. It is announced that a cumulative index, covering the volumes for the years 1906-1930, is now in course of preparation by David M. Matteson.

In 1936 was published as an act of homage to Dr. Rafael Altamira y Crevea, a *Colección de Estudios, Históricos, Jurídicos, Pedagógicos y Literarios*, consisting in all of 32 monographs concerning the history of Spain and America, literary history and criticism, law, and pedagogy, written by Spanish and foreign authors and presented to Dr. Altamira, when he retired from his professorship at the age of seventy. The collection known as "Mélanges Altamira" is from the press of C. Bermejo, Madrid (pp. xvi, [4], 507). Of the volume, ten copies were printed on Holland paper (numbered A-J); twenty-five copies on linen paper (Numbered I-XXV); and five hundred copies, of the regular edition (numbered 1-500). Naturally, in a volume of this kind, there is little uniformity, and the contributions are of varying importance. Some of the items deal with Hispanic America, in which Dr. Altamira has long been interested. Of interest in this section is the article by Roscoe R. Hill, entitled "Los Archivos Españoles y los Investigadores Americanos". This is an excellent

survey of much that has been written by scholars who have made investigations in Spanish Archives. Very important and valuable is the work that Dr. Hill has himself done. It may not be generally known that it was largely, if not altogether owing to his careful negotiations that the Spanish archives were reopened to investigation after they had been almost entirely closed. It should also be noted that the present war in Spain has driven Dr. Altamira from his fatherland, with the loss of all his possessions.

Dr. Grayson L. Kirk, assistant professor of political science in the University of Wisconsin, has written a volume entitled *Philippine Independence, Motives, Problems and Prospects* (New York, Farrar & Rinehart, Inc., 4 ll., pp. 278, \$2.50). In his volume, Dr. Kirk discusses the question of the independence of the Philippines, the reasons governing the enactment of the Tydings-McDuffie Independence Act, the economic and political future of the islands, and far-eastern factors entering into the problems confronting the Filipinos after 1946. The nine chapters of the volume form one of the most thoughtful books on the Philippines that have appeared within recent years. Chapter IX, "Filipino-American Relations: A Suggested Program", will bear several readings. The recently suggested action committing the United States and the Philippines to a continuation of the present economic relations for fifteen years after 1946, is proof that the terms of the Independence Act are being revised.

Anuario Bibliográfico Cubano, 1937, by the well-known Fermín Peraza Sarausa, director of the Municipal Library of Havana (Havana, January, 1938, pp. 119) is the first of a projected series which will be issued on the first of January of each year. Omissions in any year will be published as an appendix the next year. The coöperation of all scholars is requested, in order that the volume may have the desired completeness. In this annual volume will be published not only the titles of books and pamphlets by authors and subjects, but also lists of addresses, newspapers, and libraries, all of which it is hoped will be one way of revealing cultural Cuba. The first number of the new series is excellent and future volumes should receive support and coöperation from scholars in the United States.

M. Romera-Navarro, of the University of Pennsylvania, has published Vol. I of his critical annotated edition of Baltasar Gracián's *El Criticón* (Philadelphia, University of Pennsylvania Press, 1938,

pp. vii, 404). The editor prefixes to his text an introduction in two parts: 1. A short treatise (pp. 3-31) on Baltasar Gracián, Vida, Doctrina y Crítica, and El Estilo; 2. Materials relating to *El Criticón*, including a bibliography. Romera-Navarro calls *El Criticón* the "only work which can be compared to the *Quijote* of Cervantes and *Los Sueños* of Quevedo, in invention, genius, and language"; and he calls it a "master work of the Castilian prose of the seventeenth century". The work was published in coöperation with the Modern Language Association of America. The first part of the work was originally issued under the name of Baltasar Gracián, and the other two parts under the name of Lorenzo Gracián. The volume is well edited, and it is hoped the second and third parts will soon appear. The printing is excellently done.

Professor Jefferson Rea Spell, of the University of Texas, who has long been studying the influence of Rousseau in Spain and Spanish America, and who has from time to time published articles touching the general field in various reviews, has published through the University of Texas Press, at Austin, a book entitled *Rousseau in the Spanish World, before 1833* (pp. 325, \$1.25). The volume has fifteen chapters, an appendix, a bibliography, and an index. Chapter XIV treats of "Rousseau in Spanish America". In his preface (p. 7), Professor Spell says:

"... the teachings of Rousseau led to direct and beneficial reforms which had for their general purpose the increase of intellectual and political liberty, the leveling of social barriers, and the more equitable distribution of goods and opportunity—all generally grasped under the term democracy; . . .".

In this book Professor Spell has made use of some of the materials formerly published in various reviews. The work should be read by students of history.

Those who are familiar with the work of Dr. Clark Wissler, the Curator-in-Chief of the Department of Anthropology in the American Museum of Natural History, will do well to examine the thoroughly revised edition of his classic work *The American Indian. An Introduction to the Anthropology of the New World* (New York: Oxford University Press, 1938, pp. xviii, 466, illus., \$3.75). This is the third edition, the first having appeared in 1917 and the second in 1922. The changes incorporated in the latest edition include important discoveries during the past sixteen years. Also, in this edition, there

are only 19 instead of 21 chapters, and there are fewer pages of text (388 instead of 400). The maps and illustrations remain the same, while the bibliography of 33 pages has been revised and brought up to date.—A. C. W.

A recent volume in the series known as *Handbooks of Archaeological History* published jointly by the University of New Mexico and the School of American Research with the aim of giving in detail but in non-technical language a complete picture of the Indians of the American Southwest is *Indians of the Rio Grande Valley* (Albuquerque, The University of New Mexico Press, 1937, pp. 274, illus., \$3.50) by Adolph F. Bandelier and Edgar L. Hewett. The study is divided into two parts. Part One written by Dr. Hewett describes the Rio Grande pueblos today showing their culture, arts, customs, life, and general distribution (pp. 11-114). Part Two is entitled "Documentary history of the Rio Grande Pueblos" (pp. 115-257), and is the work of Dr. Bandelier written before his death in 1914. This part consists of sixteenth century accounts about the natives in the words of the Spanish conquerors or paraphrased by Dr. Bandelier, so that the life and culture of the Indians then can be compared with conditions described at present among these Indians by Dr. Hewett. This part contains an excellent "Bibliographic Introduction". Two appendices contain a biographical sketch of Dr. Bandelier by F. W. Hodge and an appreciation of Bandelier by Charles F. Lummis. Several illustrations in colors are from the water-color sketches by the late Mrs. Eva S. Fenyes, originally prepared for Dr. Bandelier's *Delight Makers*. The work is carefully written and well printed.—A. C. W.

A volume of interest to students of the European background of Hispanic American history is *European beginnings in West Africa, 1454-1578* (London: Longmans, Green and Co., 1937, pp. xii, 212, map, \$4.20) by John W. Blake. The work is issued by the Royal Empire Society as Number 14 of its "Imperial Studies" edited by A. P. Newton. The book constitutes, as the subtitle states, "A survey of the first century of white enterprise in West Africa, with special emphasis upon the rivalry of the Great Powers". The study is not exhaustive, but it is an introduction to an important subject hitherto little explored, chiefly because of the belief that there was a scarcity of documentary material bearing on the subject. The work shows the

beginning of European rivalry in Africa, the Portuguese activities there, the early interest of England in Africa, and the early history of the trade in gold dust and slaves. To the student of Hispanic American history the book can be recommended as throwing more light upon the age of Columbus.—A. C. W.

A handsome volume which does credit to its editor and publisher is *South American Journals 1858-1859* by George Augustus Peabody, and edited from the original manuscript by his friend John Charles Phillips (Salem: Peabody Museum, 1937, pp. xvi, 209, illus.) George Augustus Peabody was born at Salem on August 23, 1831 and he lived to the ripe age of 98, dying May 3, 1929. In 1852 he received the A.B. degree from Harvard, and in 1855 the LL.B. degree from its law school. In 1881 he married a descendent of John Jay but his wife died in 1888 and Peabody never remarried. He had no children. He remained active in mind and body throughout his life, and he especially enjoyed hunting. His expedition to South America was undertaken largely as a sporting venture. A party of four men, under Captain Robert B. Forbes in the brig *Nankin*, left Boston November 18, 1858, accompanied by a schooner yacht. Today the expedition would be called a scientific one, for it was equipped with the necessities to make a study of the fauna of South America. The journal which Peabody kept is the best account of this voyage which ended on June 16, 1859. On pages 203-209 is a second account of the voyage made by another member, Gurdon Saltonstall. The volume deals with birds and animals, and people and customs, chiefly in Argentina, Uruguay, and Chile. It is well written, but somewhat scientific, statistical, and detailed.—A. C. W.

One of the more recent "classics" of Mexican literature is *Las Calles de México* now translated into English as *The Streets of Mexico* (San Francisco: George Fields, 1937, pp. 200, \$3.00). The author, Luis González Obregón, was born in Mexico in 1865, and began to write in 1888. Two of his scholarly works are *Viejo México* (1891) and *Época Colonial* (1895). For several decades the author served as Director of Publications of the National Museum of Mexico, as Director of the National Archives, and as head of the Division of Historical Investigations. In this excellent study the author has re-peopled the streets of Mexico with Aztecs, conquistadores, priests, inquisitors, colonial officials, and men and women both good and bad,

so that these early times live again in vivid clearness. The translator is Blanche Collet Wagner and the illustrator is Ethel E. Pletsch. There is no bibliography and no index, but the work is historically sound and well written. The student who wishes to learn the origin of the street names of Mexico City or who desires to know more about the colonial civilization of New Spain will find this book exceedingly helpful. It is fortunate that it has been so well translated.—A. C. W.

An analysis of the political and social ideas behind the present civil struggle in Spain is contained in *Modern Spain and Liberalism. A study in literary contrasts* (Stanford University: Stanford University Press, 1937, pp. viii, 236, \$2.25), by John T. Reid, a close student of Spanish social and literary life. The work is based upon a study of the writings of two leading popular novelists of contemporary Spain: Pio Baroja (b. 1872) and Ricardo León (b. 1877). An understanding of the distinct social philosophies of these two men is necessary, the author asserts, to an understanding and a fair judgment of the Spanish scene. Dr. Reid has attempted to give an impartial expression of the conflict of ideas in Spain today. The book contains an introduction, eight chapters, an appendix of the writings of Baroja and León, and an index. The text shows the development of liberalism in Spain and especially the influence of these two men, the former representing the "antitraditional, anticlerical, restless, turbulent" elements and the latter representing the "traditional and religious" groups. The book is thoughtful and timely.—A. C. W.

J. H. Landman, of the College of the City of New York, has issued through Barnes and Noble, Inc., New York, 1935, a revised edition of his *An Outline History of the World since 1914* (6 leaves, pp. 311, 75 cents). Chapter XXIII, pp. 277-281, is entitled "Latin America" This is one of Barnes & Noble's "College Outline Series".

The Pan American Union issued a *Special Handbook for the Use of Delegates* to the Eighth International Conference of American States, held at Lima, Peru, in December, 1938 (Washington, 1938, pp. 168). The volume contains five parts, as follows: I. Steps preparatory to the holding of the Eighth International Conference of American States; II. Program of the Eighth International Conference of American States; III. Regulations of the Conference; IV. Memoranda on the Topics of the program; V. Appendices A-M.

Another volume of *Centón Epistolario de Domingo del Monte*, with preface, annotations, and an alphabetical table, by Joaquín Llaverías y Martínez, has been published by the Academia de la Historia de Cuba (Havana, Imprenta "El Siglo XX" A. Muñiz y Hno., 1938, pp. XIV, 203). This is vol. V of the series and includes letters of 1841-1843. The fourth volume appeared some years ago, since which time, the publication was discontinued until the present. It is hoped that the series will now continue to completion.

The "Party of the Mexican Revolution" issues a "Foreign Information Service" at 18 Paseo de la Reforma, Mexico—a propaganda sheet. That of May, 1938—a press release—is a "Chronicle of Events leading to the Expropriation of the foreign-owned Oil Industry by the Mexican Government". This was compiled by Sr. Salomón de la Selva, the director of studies of the Centro de Estudios Pedagógicos e Hispanoamericanos de México. The sheet is in English.

Album Gráfico de Guayaquil, 1936, was published in Guayaquil, Ecuador, by Reed and Reed at twenty sucres. As its title suggests, the volume presents many views of Guayaquil, interspersed with advertising pages. Much of the reading matter is in both English and Spanish. The *Album* imparts fair information about the city and its surroundings.

The Biblioteca Municipal de la Habana, under the direction of Fermín Peraza Sarausa, has undertaken the publication of the indices of the principal Cuban reviews. No. 1 of this series is *Indice de la Revista de Cuba* (Havana, 1938, pp. 87). The index proper, which begins on p. 35, is preceded by an essay by Ricardo del Monte, entitled "La Revista de Cuba, su Vida y su Influencia", which was written in July, 1884. This essay was the determining factor for the selection of the *Revista de Cuba* as the first one of the series.

Francisco Ducassi Mendieta's essay, *El Problema del Desempleo*, has been translated by R. Hart Phillips into English under the title *The Problem of Unemployment* (Havana, [1937?], pp. 78). It consists of legislation proposed by Ducassi Mendieta, a member of the Cuban Congress to remedy unemployment. Ducassi's plan was the signing of commercial treaties as an obligatory result of international agreement.

Ducassi Mendieta is the author also of *Desempleo Problema Internacional. Comentarios a una Resolución del Congreso Cubano* (Matanzas, Imprenta "La Pluma de Oro", 1938, pp. 247). This book was written because of the general world unrest and the danger incident thereto. Sr. Ducassi is the author also of two pamphlets—one that named in the preceding note and the other, *El Desempleo, Su Origen y Manera de evitarlo*.

The report of the Division of Maps of the Library of Congress, for the fiscal year, ending June 30, 1937, compiled by Col. Lawrence Martin, chief of the division, contains materials relating to Hispanic America.

Letras: Bibliografía Mexicana (published under the directorship of Gilberto Basa), for July, 1938, presents reviews of recent books under the heading "Glosas literarias".

The American Library Association sent out in November, 1938, mimeographed copies of news items entitled "Notes on Latin American Libraries. Supplement."

Among recent book catalogues are the following:

Catálogo 45 of Editorial Ereilla, S. A., of Santiago de Chile.

Catálogo de Libros de Ocasión. Antigua Librería Robredo de José Porrua e Hijos. Mexico, No. 1, 1938.

A selection of Americana. New Series, No. 30. Henry Stevens, Son & Stiles, London.

Rare Americana. A Catalogue of historical and geographical Books, Pamphlets and Prints relating to America. No. 8. Henry Stevens, Son and Stiles, London.

Americana, Voyages, and other rare Books, from the stock of Henry Stevens, Son & Stiles of London. Presented by Scribners.

INDEX OF ARTICLES RELATING TO HISPANIC AMERICA PUBLISHED IN THE *GEOGRAPHICAL JOURNAL*

(Vols. 1-84), 1893-1934 inclusive

This, the third bibliographical Index of periodicals containing articles of value for the study of Hispanic American History,¹ is, like the preceding, compiled under the auspices of the Inter-American Bibliographical and Library Association. The items are listed under the following main headings which have been used in the previous indexes:

- I. Northern Hispanic America.
 - A. General
 - B. Southwestern United States
 - C. Mexico
 - D. Central America
 - E. West Indies.
- II. Southern Hispanic America.
 - A. General
 - B. Argentina and the Falkland Islands
 - C. Bolivia
 - D. Brazil
 - E. Chile
 - F. Colombia
 - G. Ecuador
 - H. Paraguay
 - I. Peru
 - J. Venezuela
 - K. Boundary delineations.
- III. Hispanic America as a whole.
- IV. Miscellaneous.
 - A. Early cartography
 - B. Explorers, voyages, and discoveries
 - C. Unclassified.

All book reviews have been omitted from this list as well as all notes included in the "Monthly Record". Also articles dealing with European colonies in America are omitted unless there is a close connection made in the text with an Hispanic American country. Articles dealing with the backgrounds of Hispanic American history have been

¹ Published in *THE HISPANIC AMERICAN HISTORICAL REVIEW* for November, 1932, and February, 1934.

included because of their close associations with events in America. The references have been arranged alphabetically by authors, or if anonymous, by title. Many of the articles contain illustrations and valuable maps.

I. NORTHERN HISPANIC AMERICA

A. General

1. Bowie, William. The triangulation of North America. LXXII, No. 4 (October, 1928), 348-56.
2. Huntington, Ellsworth. The fluctuating climate of North America. XL, no. 3 (September, 1912), 264-80; no. 4 (October, 1912), 392-411.
3. MacDougal, D. T. North American Deserts. XXXIX, no. 2 (February, 1912), 105-123.

B. Southwestern United States

4. Markham, Clements R. American cliff dwellers. III, no. 1 (January, 1894), 46-7.

C. Mexico

5. Howarth, O. H. Popocatepetl, and the volcanoes of the Valley of Mexico. VIII, no. 2 (August, 1896), 137-153.
6. Howarth, O. H. The Western Sierra Madre of Mexico. VI, no. 5 (November, 1895), 422-438.
7. Humboldt, Carl. Explorations in Mexico. XXI, no. 2 (February, 1903), 126-142.
8. Humboldt, Carl and Dracopoli, I. N. The Sonora desert, Mexico. XL, no. 5 (November, 1912), 503-518.
9. Maudslay, Alfred P. The Valley of Mexico. XLVIII, no. 1 (July, 1916), 11-26.
10. Stephenson, J. Gurdon J. Notes on a section of North America. XI, no. 4 (April, 1898), 424-27.

D. Central America

11. Alfred Percival Maudslay. LXXVIII, no. 1 (July, 1931), 1-12.
12. Anderson, Tempest. The volcanoes of Guatemala. XXXI, no. 5 (May, 1908), 473-89.
13. Church, George Earl. Costa Rica. X, no. 1 (July, 1897), 56-84.
14. Church, George Earl. The Republic of Panama. XXII, no. 6 (December, 1903), 676-85.
15. Cornish, Vaughan. The condition and prospects of the Panama Canal. XLIV, no. 2 (August, 1914), 189-203.
16. Cornish, Vaughan. The Flooding of the Panama Canal. XLII, no. 5 (November, 1913), 469-70.
17. Cornish, Vaughan. On the Panama Canal, and the formation of gravitation waves in the Culebra cut. XLI, no. 3 (March, 1913), 239-243.
18. Cornish, Vaughan. The Panama Canal in 1908. XXXIII, no. 2 (February, 1909), 153-180.
19. Davidson, Charles. Earthquakes and the Panama Canal. XLIII, no. 1 (January, 1914), 62-3.
20. Nicol, John M. Northeast Nicaragua. XI, no. 6 (June, 1898), 658-660.

E. West Indies

21. Anderson, Tempest. Recent volcanic eruptions in the West Indies. XXI, no. 3 (March, 1903), 265-281.
22. Geography of Haiti. III, no. 1 (January, 1894), 49-52.
23. Gould, R. T. The Landfall of Columbus; an old problem re-stated. LXIX, no. 5 (May, 1927), 403-429.
24. Jane, Cecil. The opinion of Columbus concerning Cuba and the "Indies". LXXIII, no. 3 (March, 1929), 266-270.
25. Johnston, Harry. The scenery of Cuba, Hispaniola (Haiti), and Jamaica. XXXIII, no. 6 (June, 1909), 629-668.
26. The Landfall of Columbus. LXVIII, no. 4 (October, 1926), 338-9.
27. Pritchard, Hesketh. Through Haiti. XVI, no. 3 (September, 1900), 306-19.

II. SOUTHERN HISPANIC AMERICA

A. General

28. Barclay, W. S. The first transandine railway. XXXVI, no. 5 (November, 1910), 553-62.
29. Barclay, W. S. The geography of South American railways. XLIX, no. 3 (March, 1917), 161-201; no. 4 (April, 1917), 241-282.
30. Bowman, Isaiah. Man and climatic change in South America. XXXIII, no. 3 (March, 1909), 267-78.
31. Close, C. F. Gravity deflections in the Andes. XLVII, no. 6 (June, 1916), 464-7.
32. Conway, Martin. The Andes. LXXVI, no. 6 (December, 1930), 527-9.
33. Church, George Earl. South America: An Outline of its physical geography. XVII, no. 4 (April, 1901), 333-409.
34. Evans, J. W. Hydrography of the Andes. XXV, no. 1 (January, 1905), 66-74.

B. Argentina and the Falkland Islands

35. Ascent of Aconcagua. LXVI, no. 1 (July, 1925), 44-46.
36. Chambers, B. M. Can Hawkins' "Maiden Land" be identified as the Falkland Islands? XVII, no. 4 (April, 1901), 414-23.
37. Chambers, B. M. Hawkins' Maiden Land and the Falkland Islands. LXVII, no. 6 (June, 1926), 555-7.
38. Church, George Earl. Argentine geography and the Ancient Pampean Sea. XII, no. 4 (October, 1898), 386-401.
39. Crosthwait, H. L. A Journey to Lake San Martín, Patagonia. XXV, no. 3 (March, 1905), 286-291.
40. Daszynski, S. W. A Polish expedition to the high Andes. LXXXIV, no. 3 (September, 1934), 215-23.
41. Dr. Siemiradzki's Explorations in Patagonia. II, no. 2 (August, 1893), 158-162.
42. Exploration of the Bermejo River and its affluents, Argentine Republic. XV, no. 6 (June, 1900), 599-611.
43. Fitzgerald, E. A. Exploration on and around Aconcagua. XII, no. 5 (November, 1898), 469-494.
44. Furlong, C. W. Exploration in Tierra del Fuego and the Fuegian Archipelago. LXXXI, no. 3 (March, 1933), 211-25.

45. Hardy, A. C. The work of the royal research ship "Discovery" in the dependencies of the Falkland Islands. LXXII, no. 3 (September, 1928), 209-234.
46. Henniker-Heaton, H. Did Sir Richard Hawkins visit the Falkland Islands? LXVII, no. 1 (January, 1926), 52-57.
47. Hodson, Arnold. Notes on a visit to the dependencies of the Falkland Islands. LXXIII, no. 1 (January, 1929), 60-3.
48. Kropotkin, P. The Pampas. III, no. 4 (April, 1894), 318-21.
49. Martonne, Emmanuel de. The Andes of the Northwest Argentine. LXXXIV, no. 1 (July, 1934), 1-16.
50. Moreno, Francisco P. Explorations in Patagonia. XIV, no. 3 (September, 1899), 241-69; no. 4 (October, 1899), 353-378.
51. Moreno, Francisco P. Notes on the anthropography of Argentina. XVIII, no. 6 (December, 1901), 574-89.
52. O'Driscoll, Florence. A Journey to the North of the Argentina Republic. XXIV, no. 4 (October, 1904), 384-408.
53. Schiller, Walker. A lonely grave in Patagonia. LXXI, no. 1 (January, 1928), 74-6.
54. Scottsberg, Carl. Swedish Magellanian Expedition, 1907-9. XXXI, no. 6 (June, 1908), 640-5.
55. Scottsberg, Carl. The Swedish Magellanian Expedition, 1907-9; Preliminary reports. XXXII, no. 5 (November, 1908), 485-88; no. 6 (December, 1908), 591-594; XXXIII, no. 3 (March, 1909), 289-94; XXXIII, no. 4 (October, 1909), 409-21.
56. Willis, Bailey. Recent surveys in Northern Patagonia. XL, no. 6 (December, 1912), 607-615.

C. Bolivia

57. Church, George Earl. Bolivia by the Rio de la Plata route. XIX, no. 1 (January, 1902), 64-73.
58. Church, George Earl. Northern Bolivia and President Pando's New Map. XVIII, no. 2 (August, 1901), 144-53.
59. Conway, Martin. Explorations in the Bolivian Andes. XIV, no. 1 (July, 1899), 14-34.
60. Conway, Martin. Notes on a map of part of the Cordillera Real of Bolivia. XV, no. 5 (May, 1900), 528-9.
61. Evans, John William. Expedition to Caupolicán, Bolivia, 1901-2. XXII, no. 6 (December, 1903), 601-46.
62. Fawcett, P. H. Bolivian Exploration, 1913-14. XLV, no. 3 (March, 1915), 219-228.
63. Fawcett, P. H. Explorations in Bolivia. XXXV, no. 5 (May, 1910), 513-532.
64. Fawcett, P. H. Further explorations in Bolivia: The River Heath. XXXVII, no. 4 (April, 1911), 377-98.
65. Hoek, H. Exploration in Bolivia. XXV, no. 5 (May, 1905), 498-513.
66. Markham, Clements R. Recent discoveries in the Basin of the river Madre de Dios (Bolivia and Peru). VII, no. 2 (February, 1896), 187-190.
67. Nordenskiöld, Erland. Travels on the boundaries of Bolivia and Argentina. XXI, no. 5 (May, 1903), 510-25.

68. Nordenskiöld, Erland. Travels on the boundaries of Bolivia and Peru. XXVIII, no. 2 (August, 1906), 105-130.
69. Pasley, Charles M. S. Descriptive notes on the southern plateau of Bolivia and the sources of the River Pelaya. III, no. 2 (February, 1894), 105-115.
70. Storm, O. J. Journeys and Explorations on the Pilcomayo River. VII, no. 1 (January, 1896), 82-90.

D. Brazil

71. Barclay, W. S. The Basin of the River Paraná. LXXIX, no. 2 (February, 1932), 81-99; no. 3 (March, 1932), 186-200.
72. Barclay, W. S. The River Paraná; an economic survey. XXXIII, no. 1 (January, 1909), 1-40.
73. Blake, R. H. Notes on the Alto Rio Branco, North Amazonas. XLVII, no. 5 (May, 1916), 364-368.
74. Branner, John C. The geography of North-Eastern Bahia. XXXVIII, no. 2 (August, 1911), 139-152; no. 3 (September, 1911), 256-269.
75. Brazilian exploration in the Amazonas Valley. I, no. 4 (August, 1893), 346-7.
76. Bullock, S. C. Tocantins and Araguaya rivers, Brazil. LXIII, no. 5 (May, 1924), 369-91.
77. Church, George Earl. The Acre territory and the Caoutchouc region of South-western Amazonia. XXIII, no. 5 (May, 1904), 596-13.
78. ——— Dr. Rice's Exploration in the north western valley of the Amazonas. XXXI, no. 3 (March, 1908), 307-10.
79. ——— Notes on the visit of Dr. Bach to the Catuquinarú Indians of Amazonas. XII, no. 1 (July, 1898), 63-7.
80. Clark, R. B. Notes on Bananal and the Araguaya valley. LXIV, no. 5 (November, 1924), 403-406.
81. Colonel Fawcett's expedition in Matto Grosso. LXXI, no. 2 (February, 1928), 176-85.
82. Dr. Hamilton Rice on the Rio Branco. LXV, no. 3 (March, 1925), 239-41.
83. Dr. Hamilton Rice's expedition to the Rio Branco. LXVI, no. 1 (July, 1925), 46-7.
84. Dyott, G. M. An air route reconnaissance from the Pacific to the Amazon. LVI, no. 4 (October, 1920), 267-297.
85. Dyott, G. M. The Search for Colonel Fawcett. LXXIV, no. 6 (December, 1929), 513-42.
86. Explorations in Central Brazil. IX, no. 1 (January, 1897), 64-7.
87. The Fate of Colonel Fawcett. LXXX, no. 2 (August, 1932), 151-154.
88. Holloway, H. L. East of the Ecuadorian Andes. LXXX, no. 5 (November, 1932), 410-419.
89. The Hydroplane of the Hamilton Rice expedition, 1924-5. LXVIII, no. 1 (July, 1926), 27-43.
90. The Kinematograph on the Iguazú and the Amazon. XLIV, no. 3 (March, 1917), 226-228.
91. Mr. Dyott's expedition in search of Colonel Fawcett. LXXIII, no. 6 (June, 1929), 540-2.
92. The one-millionth map of Brazil. LXII, no. 1 (July, 1923), 38-40.
93. Photography on the Hamilton Rice expedition, 1924-5. LXVIII, no. 2, (August, 1926), 140-147.

94. The Radio-telegraphy of the Hamilton Rice expedition, 1924-5. LXVII, no. 6 (June, 1926), 536-52.
95. Rice, A. Hamilton. From Quito to the Amazon via the river Napo. XXI, no. 4 (April, 1903), 401-418.
96. Rice, A. Hamilton. Further explorations in the northwest Amazon basin. XLIV, no. 2 (August, 1914), 137-168.
97. Rice, A. Hamilton. Notes on the Rio Negro (Amazonas). LII, no. 4 (October, 1918), 205-218.
98. Rice, A. Hamilton. The Recent expedition of Dr. Hamilton Rice. LVI, no. 1 (July, 1920), 59-60.
99. Rice, A. Hamilton. The Rio Branco, Uraricuera, and Parima. LXXI, no. 2 (February, 1928), 113-143; no. 3 (March, 1928), 209-23; no. 4 (April, 1928), 345-57.
100. Rice, A. Hamilton. The Rio Negro, the Casiquiare canal, and the upper Orinoco, September, 1919-April, 1920. LVIII, no. 5 (March, 1921), 321-344.
101. Roosevelt, Theodore. A Journey in Central Brazil. XLV, no. 2 (February, 1915), 97-110.
102. The search for Colonel Fawcett. LXXII, no. 5 (March, 1928), 443-48.
103. Swanson, John W. The wireless receiving equipment of the Hamilton Rice expedition, 1919-20. LX, no. 3 (September, 1922), 205-210.

E. Chile

104. Barclay, W. S. The Land of Magellanes, with some account of the Ona and other Indians. XXIII, no. 1 (January, 1904), 62-79.
105. Chapman, Frank M. Darwin's Chile. LXVIII, no. 5 (November, 1926), 369-85.
106. Elliott, G. F. Scott. The geographical functions of certain water plants in Chile. XXVII, no. 5 (May, 1906), 451-65.
107. Fitzgerald, Edward A. Mr. Fitzgerald's expedition to Aconcagua. X, no. 5 (November, 1897), 269-70.
108. Holdich, T. H. The Patagonian Andes. XXIII, no. 2 (February, 1904), 153-176.
109. Steffen, Hans. The Patagonian cordillera and its main rivers between 41° and 48° south latitude. XVI, no. 1 (July, 1900), 14-38; no. 2 (August, 1900), 185-211.
110. The Valparaiso Earthquake. XXVIII, no. 4 (October, 1906), 386-7.

F. Colombia

111. Wollastan, A. F. R. The Sierra Nevada of the Santa Marta, Colombia. LXVI, no. 2 (August, 1925), 97-111.

G. Ecuador

112. Notes on the work of the French geodetic expedition to measure the Quito arc. XXXI, no. 2 (February, 1907), 211-12.
113. Stabler, Jordan H. Travels in Ecuador. L, no. 4 (October, 1917), 241-252.
114. Wolf, Th. The Western Lowland of Ecuador. I, no. 2 (February, 1893), 154-7.

H. Paraguay

115. Grubb, B. W. Barbrooke. The Paraguayan Chaco and its possible future. LIV, no. 3 (September, 1919), 157-178.

I. Peru

116. Barclay, W. S. Sand dunes in the Peruvian desert. XLIX, no. 1 (January, 1917), 53-6.
 117. Bingham, Hiram. The Pampaconas river. XLIV, no. 2 (August, 1914), 211-214.
 118. Bingham, Hiram. The Yale Peruvian Expedition: Preliminary Report. XXXIX, no. 3 (March, 1912), 235-241.
 119. Bingham, Hiram. The Yale University and National Geographic Society Peruvian Expedition. XLIII, no. 6 (June, 1914), 676-8.
 120. Coverley-Price, A. V. and M. M. Wood. Professor J. W. Gregory's expedition to Peru. LXXXII, no. 1 (July, 1933), 16-41.
 121. Enock, C. Reginald. The Ruins of "Huanuco viejo", or old Huanuco, with notes on an expedition to the upper Marañon. XXVI, no. 2 (August, 1905), 153-179.
 122. ———. Southern Peru: Notes on two expeditions. XXVIII, no. 3 (September, 1906), 245-266.
 123. Markham, Clements R. C. Reginald Enock's Journeys in Peru. XXV, no. 6 (June, 1905), 620-33.
 124. ———. Exploration of fluvial highways in Peru. XXII, no. 6 (December, 1903), 672-4.
 125. ———. The Land of the Incas. XXXVI, no. 4 (October, 1910), 781-98.
 126. ———. Mr. Bingham in Vilcapampa. XXXVIII, no. 6 (December, 1911), 590-91.
 127. Reeves, E. A. Note on map of South Peru and North Bolivia. XXXVI, no. 4 (October, 1910), 398-404.

J. Venezuela

128. André, E. The Caura affluent of the Orinoco. XX, no. 3 (September, 1902), 283-306.
 129. Bingham, Hiram. On the route of Bolívar's great March: Caracas to Bogotá via Arauca and the Paramo of Pisva. XXXII, no. 4 (October, 1908), 329-47.
 130. Paterson, Stanley. In the valley of the Orinoco. XIII, no. 1 (January, 1899), 39-50.

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